



# BULKY DOCUMENTS

(Exceeds 100 pages)

Filed: 5/13/2011

Title: PETITIONER'S FIRST NOTICE OF RELIANCE,  
SECOND NOTICE OF RELIANCE AND THIRD  
NOTICE OF RELIANCE.

Part 1 of 1

92051006

TTAB

Joshua S. Frick  
312-840-3265  
[jfrick@usebrinks.com](mailto:jfrick@usebrinks.com)

BRINKS  
HOFFER  
GILSON  
& LIONE®

A Professional Corporation

Intellectual Property  
Law Worldwide

May 6, 2011

UNITED STATES PATENT AND TRADEMARK OFFICE  
Commissioner for Trademarks  
P.O. box 1451  
Alexandria, VA 22313-1451

# 77142966

**Re: Cancellation No. 92/051,006**  
**Couch/Braunsdorf Affinity, Inc. v. 12 Interactive, LLC**

Dear Sir or Madam:

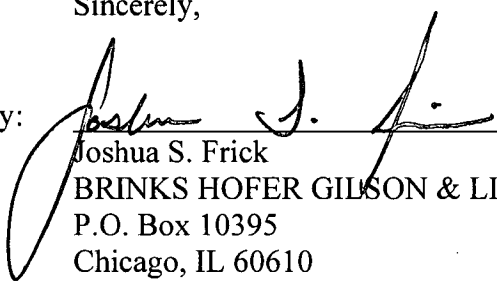
On behalf of the Petitioner, Couch/Braunsdorf Affinity, Inc., we are filing the following documents with the TTAB:

1. **PETITIONER'S FIRST NOTICE OF RELIANCE: PRINTED PUBLICATIONS**
2. **PETITIONER'S SECOND NOTICE OF RELIANCE: OFFICIAL RECORDS**
3. **PETITIONER'S THIRD NOTICE OF RELIANCE: REGISTRANT'S RESPONSES TO PETITIONER'S INTERROGATORIES**

Please contact the undersigned if you have any questions or additional information is required.

Sincerely,

By:

  
Joshua S. Frick  
BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
Telephone: 312-321-4200  
Facsimile: 312-321-4299  
Email: [officeactions@brinkshofer.com](mailto:officeactions@brinkshofer.com)

Attorney for Petitioner



05-13-2011

U.S. Patent & TMO/TM Mail Rpt Dt. #72

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First-class mail in an envelope addressed to:

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

On May 6, 2011

Date of Delivery

Joshua S. Frick

Name of Person Signing Certificate

/Joshua S. Frick/

Signature

May 6, 2011

Date of Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

COUCH/BRAUNSDORF AFFINITY, INC.,	:	
	:	Cancellation No. 92051006
Petitioner,	:	
	:	Mark: PERKSPOT
v.	:	
	:	Registration No. 3,355,480
12 INTERACTIVE, LLC,	:	
	:	Registered: December 18, 2007
Registrant.	:	

**PETITIONER'S FIRST NOTICE OF RELIANCE:  
PRINTED PUBLICATIONS**

Pursuant to Rule 2.122(e) and TBMP § 704.08, Petitioner Couch/Braunsdorf Affinity, Inc. ("Petitioner") submits this Notice of Reliance for the enclosed documents.

With this Notice of Reliance, Petitioner introduces into evidence Petitioner's website.

This website is relevant to the issue of likelihood of confusion in that it demonstrates Petitioner's use of its PERKS and PERKSCARD marks and describes Petitioner's services.

A copy of the following website is enclosed with this Notice of Reliance:

App. Ex. No.	Title	Source	Access Date <sup>1</sup>
59	Perkscard Network Website	<a href="http://www.perkscardnetwork.com">http://www.perkscardnetwork.com</a>	December 1, 2010

Petitioner also introduces into evidence articles and press releases that mention Petitioner and its PERKS and/or PERKSCARD marks. These articles and press releases are relevant to the issue of likelihood of confusion in that they demonstrate the strength and fame of Petitioner's PERKS and PERKSCARD marks.

The articles and press releases enclosed with this Notice of Reliance are listed in the table below:

App. Ex. No.	Title	Source
60	Campaign Spotlight of Roslyn Saving Bank PERKSCARD advertising campaign	<i>Financial Advertising Review</i> , February 2003, at 16-19
61	PerksCard Network Named New York State Cooperative and Experiential Education Association Employer of the Year	<a href="http://www.free-press-release.com/news-perkscard-network-named-new-york-state-cooperative-and-experiential-education-association-employer-of-the-year-1287050598.html">http://www.free-press-release.com/news-perkscard-network-named-new-york-state-cooperative-and-experiential-education-association-employer-of-the-year-1287050598.html</a> , October 14, 2010
62	PerksCard Network Named New York State Cooperative and Experiential Education Association Employer of the Year	<a href="http://www.prlog.org/11000072-perkscard-network-named-new-york-state-cooperative-and-experiential-education-association.html">http://www.prlog.org/11000072-perkscard-network-named-new-york-state-cooperative-and-experiential-education-association.html</a> , October 14, 2010
63	THEUFORCE.COM: New Group Buying Website The UForce.com Goes Live	Business and Finance Week, August 7, 2010
64	THEUFORCE.COM: New Group Buying Website The UForce.com Goes Live	Marketing Weekly News, August 7, 2010
65	PerksCard Announces New Q1 Clients and Over 200,000 New Cardholders	PR Newswire, April 28, 2010

<sup>1</sup> "Access Date" refers to the date on which the printed publication was accessed via the internet at the identified source and printed.



<b>App. Ex. No.</b>	<b>Title</b>	<b>Source</b>
66	United States: PerksCard Network Launches New Website Platform Promoting Loyalty, Savings and Discounts	TendersInfo, March 24, 2010
67	PerksCard Network Launches New Website Platform Promoting Loyalty, Savings and Discounts	PR Newswire, March 23, 2010
68	Change @ Work: Whaddya Mean Just an Intern	Newsday, July 22, 2007
69	Long Island Works Coalition Honors Local Businesses with Workforce Builders Awards	Long Island Business News, December 2, 2005
70	State Unveils PerksCard Program	Post and Courier, May 6, 2005
71	Your General Assembly	The State, May 5, 2005
72	State Workers Get Discount Cards	The Associated Press State & Local Wire, May 4, 2005
73	State Employees to Receive Discount Cards	US States News, May 4, 2005
74	Couch Braunsdorf Merges with PerksCard	National Underwriters, Property & Casualty/Risk & Benefits Management Edition, November 3, 2003
75	Couch Braunsdorf Merges with PerksCard	Business and Industry National Underwriter Property & Casualty, November 3, 2003
76	Couch Braunsdorf Insurance Announces Merger with PerksCard Unlimited, Inc.	PR Newswire, October 1, 2003

Respectfully Submitted,

**COUCH/BRAUNSDORF AFFINITY, INC.**

Dated: May 6, 2011

/Joshua S. Frick/  
Philip A. Jones  
Joshua S. Frick  
BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610  
(312) 321-4200

*Attorneys for Petitioner*

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF RELIANCE** was served via First-class mail on counsel for Registrant on the 6<sup>th</sup> day of May, 2011 addressed as follows:

Michael G. Kelber, Esq.  
[mkelber@ngelaw.com](mailto:mkelber@ngelaw.com)  
Katherine Dennis Nye, Esq  
[knve@ngelaw.com](mailto:knve@ngelaw.com)  
Neal, Gerber & Eisenberg LLP  
Two North LaSalle Street, Suite 1700  
Chicago IL 60602-3801

\_\_\_\_\_/Joshua S. Frick/

# Exhibit 59

Petitioner's Exhibit 59  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



Hello, Town of  
Welcome back to PerksCard

[My Profile](#) [Log Out](#)

Are you an enrolled merchant?  
to learn more

Already enrolled?

[Home](#)
[About PerksCard](#)
[Getting PerksCard](#)
[PerksCard Rewards](#)

**Home**

[About](#)

[Contact](#)

[FAQ](#)

## Welcome to the Town of Leesburg PerksCard Program

Your PerksCard will save money on the things you use every day! There is a variety of businesses right around your building offering significant savings. Save on dining, retail, auto services, pet needs, home services, health & beauty, fitness, recreation, entertainment and much more.

**The average family saves over \$4,000 a year with their PerksCard.**  
Here's how you can obtain your discounts.

- **In Store** - Click on any of the business names or logos to the left of this page to save right around your building. These vendors are all "Show and Save" vendors. go and show your PerksCard to get the savings.
- **Movie Tickets** - Click on the "Featured Merchant" tab to order movie tickets at deep discounts. AMC, Regal, Fandango and more.
- **Online Discounts** - Click on "Online Shopping" above find your favorite web based vendors. Special discounts from Overstock.com, restaurant.com, fromyourtown.com and hundreds more - use our comparison tool to save the most.
- **Travel Discounts** - Rental Cars, Hotels, Resorts, Theme Parks. Cut your travel expenses up to 40%.
- **Printable Coupons** - Print a coupon from some of your favorite restaurants and retailers. Look for specials from AAMCO, Boston Market and more...
- **Gift Cards** - Buy a discounted gift card from our vendors like JC Penney, Home Depot, Applebee's, Olive Garden. Find more in our gift card section of the web site. The more you visit the more you will save. PerksCard discounts are added weekly so check back often to maximize your savings.

**ENJOY!**



**THE FLOW**  
Heating  
Air Conditioning  
Cooling

**Ameriprise**  
Financial

**Seena R. Kays, CPA**  
"Proper Planning  
Protects Your Future"

**Sponsored Local Discounts**

**Vintage 50 Restaurant & Brew Lounge**  
50 Catotwin Circle NE  
Leesburg, Virginia,  
20176  
(703) 777-2159

**THE FLOW**  
Heating  
Air Conditioning  
Cooling

**Loudoun Auto Repair**  
308 Parker Court SE  
Leesburg, Virginia,  
20176  
(703) 777-7500

**Hambrook Holistic Healing Center**  
297 Herndon Pkwy  
Suite 105  
Reston, Virginia,  
20170  
(571) 331-9208

**Leesburg Animal Park**  
15270 James Monroe Hwy.  
Leesburg, Virginia,  
20176  
(703) 433-0002

### Search for Local Discounts

#### Find Discounts Near

(Enter Zip or Address or City, State)

Narrow your Search (optional)

Enter Business Name, Category or Keyword

Search Within

Search Discounts

### Insurance Products

#### Auto & Home Insurance

##### Travelers Auto & Home Insurance

As a PerksCard member, you are eligible to participate in a special Auto and Home Insurance program from Travelers that may save you money on your insurance costs. Travelers provides coverage like no other insurance company.

[Learn more about Travelers Auto & Home Insurance](#)

#### Health Insurance

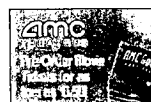
##### Augoe Bonofits Health Insurance

Augoe Bonofits provides multi-level health benefits solutions available in all 50 states with individualized enrollment capabilities. The benefit offerings are customized for each individual person's needs and budget with some

**TRAVELERS**

### Featured Partners

Explore More

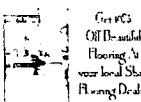
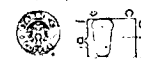


### BARNES & NOBLE

SAVE UP TO 35%  
ON BOOKS



Get your PerksCard Credit at a special price!



Panther Family Laser  
Tag & Fun Center  
23520 Overland Drive  
Sterling, Virginia,  
20155  
(703) 661-4060

Clark & Allen, PC  
109-E South Street  
S.E.  
Leesburg, Virgin  
Island, 20175  
(703) 443-0001

#### Local Discounts Info

Automotive  
Banking  
Beauty  
Business & Office  
Clothing  
Education  
Electronics  
Entertainment  
Environmental  
Financial Services  
Flowers & Gifts  
Food & Dining  
Gift Cards  
Health & Wellness  
Home & Living  
Insurance  
Moving & Storage  
Pets  
Professional  
Recreation  
Sports  
Travel

benefit offerings available regardless of pre-existing conditions.

> [Learn more about Augco Benefits Health Insurance](#)

#### Identity Theft Protection

##### LifeLock Identity Theft Protection

Identity theft can happen anywhere to anyone, in line at the store, online at home or when you're buying your morning coffee. If your identity is stolen, you can spend hundreds of hours cleaning up your credit and struggling to get back your good name. But not with LifeLock!

> [Learn more about LifeLock Identity Theft Protection](#)



#### Pet Insurance

##### Healthy Paws Pet Insurance

Healthy Paws Pet Insurance offers smart, affordable pet health coverage - at an additional discount to PetCard partners - that's easy to understand and covers up to 80% of any injury, accident or illness treatment for your pet. Healthy Paws not only helps you care for your pet, but also helps homeless animals in need across the country through our innovative grant programs.

> [Learn more about Healthy Paws Pet Insurance](#)



Hello, Town of  
 Welcome back to PerksCard  
[My Profile](#) [Log Out](#)

Are you an enrolled merchant?  
 to learn more  
 Already enrolled? [Log In](#)

[Home](#) [About Us](#) [How It Works](#) [Partners](#) [Support](#) [Privacy](#)

[Home](#)  
[About](#)  
[Contact](#)  
[FAQ](#)



#### Sponsored Local Discounts

**Vintage 50 Restaurant & Brew Lounge**  
 50 Calhoun Circle NE  
 Leesburg, Virginia,  
 20176  
 (703) 777-2169

**M. E. Flow, Inc. Air Conditioning Heating & Plumbing**  
 12 Cardinal Park Drive SE  
 Leesburg, Virginia,  
 20175  
 (703) 777-2311

**Loudoun Auto Repair**  
 308 Parker Court SE  
 Leesburg, Virginia,  
 20175  
 (703) 777-7500

**Hambrook Holistic Healing Center**  
 297 Herndon Pike  
 Suite 105  
 Reston, Virginia,  
 20170  
 (571) 331-9208

#### Legal Discounts

Automotive  
 Banking  
 Beauty  
 Business & Office  
 Clothing

## About Us

### The PerksCard Network

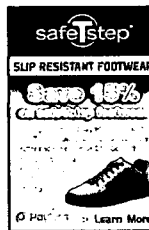
In 1986, Perks started out as an employment benefit company for employers with more than 1,000 employees. The company is best known for its co-branded affinity cards. The PerksCard provides a way for members to save on things they do and need every day including: gym memberships, movie tickets, mini vacations, dining opportunities and much more.

Since inception, the Perks concept has been implemented in over 1,000 major corporations, colleges, alumni associations and other affinity groups throughout the United States.

Currently there are millions of cardholders who benefit from the savings that Perks offers. These members can access discounts from a growing base of thousands of local and national merchants.

[Contact us](#) today to get your organization, association, or employer involved.

#### Featured Partners



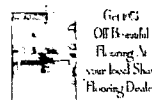
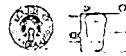
#### BARNES & NOBLE

SAVE UP TO 25%  
 on all books



GET FREE COUPONS WORTH  
 OVER \$50 WHEN YOU JOIN  
 GO UPSTASH!

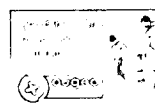
Get your Starbucks Credits  
 at a special price!




#### Insurance & Benefits

AboutAuth

Education  
Electronics  
Entertainment  
Environmental  
Financial Services  
Flowers & Gifts  
Food & Dining  
Gift Cards  
Health & Wellness  
Home & Living  
Insurance  
Moving & Storage  
Pets  
Professional  
Recreation  
Sports  
Travel



2010 Pet Card Network    [About](#)   [Contact](#)   [FAQ](#)   [Terms](#)   [Privacy](#)



Hello, Town of  
 Welcome back to PerksCard!

Are you an enrolled merchant?  
 - No, I am not.  
 - Already enrolled?

[My Profile](#)
[Log Out](#)

[Home](#)
[Contact Us](#)
[PerksCard Network](#)
[Privacy Policy](#)

Home

About

Contact

FAQ

## Contact Perks

Fields marked with an asterisk (\*) are required.

## Contact Information

\*First Name:

\*Last Name:

Address Line 1:

Address Line 2:

\*City:

\*State:

\*Zip Code:

\*Email Address:

\*Phone:


\*What's on your mind?

Submit

## Contact Perks by Mail

PerksCard Network  
 2561 Territorial Road  
 St. Paul, MN 55114

## Featured Partners

Explore More 

Amazing experiences in Mexico.  
 Puerto Vallarta, San Cristobal and more.



**safeStep**

SLIP RESISTANT FOOTWEAR

**Save 15%**  
 On New Orders



[Learn More](#)

**AMC THEATRES**

Pre-Order Movie  
 Tickets for as  
 low as \$5.00

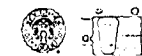
**BARNES & NOBLE**

SAVE UP TO 35%  
 On All Children's Books

**COSTCO**

GET THE LOWEST PRICE WITH  
 OVER \$100 WHEN YOU JOIN  
 OR UPGRADE!

Get your Starbucks Cards  
 at a special price!



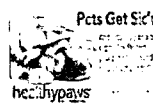
**GIORGES**

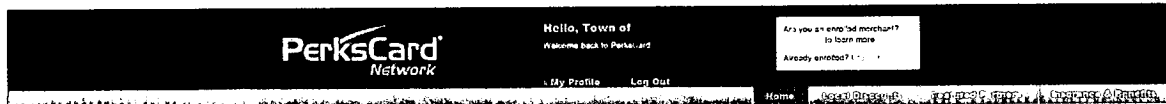
OFFER: useful  
 Present to  
 your local Show  
 Phone Dealer

Insurance & Benefits



ContactAuth





## Home

## About

## Contact

## FAQ

## Frequently Asked Questions

- [Cardholder FAQs](#)
- [Local Merchant FAQs](#)
- [Card FAQs](#)

## What is a PerksCard?

A PerksCard is a wallet sized ID card that our members use to redeem discounts at thousands of business locations across the country. Members can search [www.perkscard.com](http://www.perkscard.com) by city, state, and zip code for discounts either locally or when traveling. Discounts can be obtained through the following ways: in-store at the time of purchase; online by making purchases through a link; via an 800 number using a value code; or through downloadable coupons.

## What does the PerksCard look like?

Each sponsor's card is uniquely designed. However, they all have the familiar PerksCard logo on the front.

## I'm a new PerksCard holder. How do I register/enroll my card?

Using the information listed on either the front or the back of the card, you will be able to register. Listed below is the complete registration process that will allow you to register your PerksCard.

## REGISTRATION PROCESS

- Go to [www.perkscard.com](http://www.perkscard.com)
  - Enter your PerksCard Number and Activation Code in the spaces provided and click "Register".
  - Fill out the online registration form and click "Register".
  - You are now registered and ready to start saving!
- Note: On future visits you will only need to enter your username and password in the "Login" fields.

## How do I find businesses in my area that offer discounts through Perks?

- Go to [www.perkscard.com](http://www.perkscard.com) and log in.
- Enter your zip code, address or city, state in the "Search for Local Discounts" box and click on "Search Discounts."
- Click on any merchant name to view offer details.
- Search additional offers from national brands using the other tabs listed across the top of the website.

## Can I show my card and get the discount?

In most cases with local businesses the answer is YES. However, some of the Perks Featured Partners require a promotional code, on-line purchase or use of a toll free number to purchase the item or service at a discounted rate. For more information, please see the detail pages for each specific offer.

## How many places honor the PerksCard?

Thousands of business locations throughout the U.S.

## Will you be adding more merchants?

Yes, we are adding new merchants daily. We recommend visiting [www.perkscard.com](http://www.perkscard.com) periodically to check for discounts from new national and local businesses.

## Do you take requests for merchants?

Yes! If you would like to see a certain type of merchant or service, please click on the "Contact" link and put the suggestion in the "What's on your mind?" field. When recommending the merchant please provide as much detail as possible (name, location, phone number, contact person, etc.)

## What do I do if a Merchant won't accept my PerksCard?

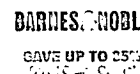
Please contact the PerksCard Call Center (1-877-253-7100) for assistance.

## How do I replace my lost or stolen PerksCard?

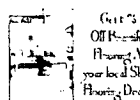
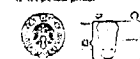
Please contact the PerksCard Call Center (1-877-253-7100) for procedure on how to obtain your replacement card.

## Featured Partners

Explore More



Get your Starbucks Card at a special price!



### Local Merchant FAQs

Since 1988, thousands of national and local companies have turned our Perks members into their customers. It's time for you to do the same! If you would like to learn more about the PerksCard Network and how you can benefit as one of our merchants, please feel free to [contact us](mailto:cpatt@perks.com) by email or by calling us at 1-877-253-7100.

#### What is a PerksCard?

A PerksCard is a wallet sized ID card that our members use to redeem discounts at thousands of locations across the country. Members can search [www.perkscard.com](http://www.perkscard.com) by city, state, and zip code for discounts either locally or when traveling. Discounts can be obtained through the following ways: in-store at the time of purchase; online by making purchases through a link via an 800 number using a value code; or through downloadable coupons.

#### Why should I become a PerksCard merchant?

Becoming a Perks merchant enables you to effectively promote your business inside the walls of a major corporate/organization, which would typically be inaccessible. Plus, when you join the PerksCard Network, you're joining one of the nation's fastest growing loyalty companies, alongside top retail brands. Perks will help you grow your sales and improve your bottom line through these benefits:

- New merchants are announced to Perks's corporate clients in their area.
- Merchants can post information about their business, discounts/offers and printable coupons to the PerksCard website.
- Periodic emails are sent to registered Perks members containing merchant information.
- Free, time-saving management tools help merchants run their business more efficiently.
- All merchants automatically get access to the same benefits available to cardholders - including a wide selection of discounts for everyday shopping.

#### Who carries a PerksCard?

There are millions of Perks holders nationwide. PerksCards are typically distributed through organizations with more than 1,000 employees or members, as well as through local merchants whose customers may not be part of a PerksCard affinity group.

#### How many different types of PerksCards are there?

The PerksCard is provided through over 1,000 organizations nationwide. Each sponsor's card is uniquely designed, however, they all have the PerksCard logo on the front.

#### How do I become a merchant?

Merchants must be willing to offer a discount or incentive to our PerksCard members. Please [contact us](mailto:cpatt@perks.com) to learn more.

#### How do I change/update my discount?

Simply submit the contact form to Perks with your update. In the "Direct To" field, please select "I am a PerksCard merchant." State your company name and your update in the comments section of the form.

### Client FAQs

#### What is a PerksCard?

A PerksCard is a wallet sized ID card that our members use to redeem discounts at thousands of business locations across the country. Members can search [www.perkscard.com](http://www.perkscard.com) by city, state, and zip code for discounts either locally or when traveling. Discounts can be obtained through the following ways: in-store at the time of purchase; online by making purchases through a link via an 800 number using a value code; or through downloadable coupons.

#### I do not have the time or staff to manage any new programs at this time. How much work is involved?

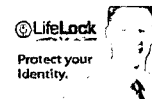
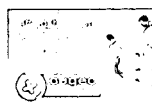
We do all the work! Just fill out a short form that will help us to understand more about your needs. The form will ask you to provide your employees' zip codes as well as the markets where you would like to see discounts available. We will arrange for discounts on products/services in those specific areas.

#### What if our users/employees have questions regarding the use of their cards or don't have Internet access?

PerksCard staffs a toll-free call center with our own employees who are seasoned professionals. Your users/employees may call them at 1-877-253-7100 M-F, 9am-6pm CST, or refer to [www.perkscard.com](http://www.perkscard.com).

#### How long is the card valid?

Your PerksCard is typically valid for one year. However, the duration of an individual client's PerksCard program can be customized. Your account manager will contact you 90 days before the expiration date.



FAQAuth

**Can a Perks program include voluntary benefits?**

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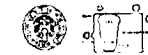
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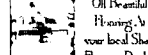
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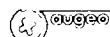
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## Products

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- **eRacon™** Searches the Web for the illegal selling or trading of your personal information. If such activity is detected, we alert you and help you take steps to resolve the problem.
- **\$1 Million Total Service Guarantee.** As a LifeLock member, if you become a victim of identity theft because of a failure in our service, we'll help fix it at our expense, up to \$1,000,000.\*
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### The Healthy Paws Advantage:

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Helping you care for your pets is just part of our story. Through our innovative grant programs, we help animal rescue groups and shelters grow, thrive, and help thousands of homeless pets find new homes. So when you choose to insure your pet with us, you're not just protecting your pet, you're also helping a whole lot of homeless pets.

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- Recreation
- Sports
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and save from the comfort of your own home!

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## Online Shopping Offers



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> Save 70% Now!



> Cheap flights and airline tickets



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> Best Available Daily Rates



> Great deals on guitars and more



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2. Click on an offer to purchase online (you will be directed to the partner's site, where the discount will be applied).
3. Always begin your shopping on the PerksCard website to make sure you receive the stated discount.
4. Use the Comparison Shopping Tool if you want to compare prices on a specific product across the web.

## Comparison Shopping Tool

We'll compare product prices to make sure you're getting the best deal. Check the web below for a comparison on virtually anything!

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# Exhibit 60

# Financial Advertising Review

February 2003

A Publication of  
The Business Word Inc. • (800) 328-3211  
Vol. 24 No. 2

The Monthly Report on Advertising by Banks, Savings & Loans and Credit Unions:

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## Young Americans Bank teaches kids about money

By Judith D. Botvin

Is this for real? A bank, founded in 1987, boasts 12,797 savings accounts with an average balance of \$674. Customers hail from all states in the U.S. and numerous foreign countries. Its average depositor is age 11 and the most common reason for saving money is to buy a computer, Nintendo Game Cube or Microsoft X-Box.

Young Americans Bank, Denver, is the only state-chartered, FDIC insured bank exclusively serving people under the age of 22. In its 15 years of existence, it has logged 47,925 depositors. It presently has 990 checking accounts and 1,040 certificates of deposit. This is a real bank, built upon a vision.

The visionary was the late Bill Daniels, often referred to as the father of cable television. He conceived the idea in 1984 and applied to the state of Colorado for permission to open the Kids' Bank. Although his application was denied, he was undaunted. He applied again after reassuring regulators that the enterprise would be fully supported

during his lifetime and after his death. Eventually, permission granted, the dream became a reality.

The opening of Young Americans Bank in the Cherry Creek section of Denver in 1987 caught the attention of news media all over the world. Its mission: to teach youngsters to become financially competent, productive adults. More than 2,000 accounts were opened in the first few weeks. Unique among federally-insured banks, it became perpetually supported by the Daniels Fund after Daniels' death.



The bank opening was followed within a short time by formation of a non-profit entity, now called Young Americans Center for Financial Education. It offers experiential sessions to fifth grade school groups at Young AmeriTowne, and global awareness to middle-

school students at International Towne. The bank and the Center share a new building, which opened in August 2002. They also share the

Young Americans continued on p. 3



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## Market Notes

### North Pole bank give-away—a tropical vacation—what else?

Mt. McKinley Bank, Fairbanks, Alaska, opened its newest facility, at 45 St. Nicholas Drive, North Pole, Alaska. The opening was celebrated with a drawing for a tropical vacation. At the time of this writing, the forecasted high temperature for New Year's Day in North Pole was -17 degrees F. McKinley announced the new branch offers North Pole residents their first opportunity to apply for a loan, have it processed and closed right in their own community. The new branch has a large, state of the art community conference room that is available for use by groups in North Pole.

### Mid America Bank agrees to Justice Department terms

Mid America Bank, a unit of MAF Bancorp, based in Clarendon Hills, Ill., made an agreement with the U.S. Justice Department, subject to court approval. The agreement ends a federal inquiry into whether the bank's lending practices within Chicago-area minority communities from 1996 to 2000 complied with the Fair Housing Act and the Equal Credit Opportunity Act. Mid America Bank denies any violation of the fair lending laws and said it has loaned over \$830 million to minority customers over the past seven years. It said it decided to work with the Justice Department to avoid the time and expense of prolonged litigation. Mid America agreed to open or acquire two branch offices in minority areas and to implement a targeted advertising campaign to increase home mortgage lending. It also agreed to provide \$10 million in benefits to borrowers in minority areas, to contribute \$500,000 to home-buyer education and counseling programs, and to assess the home mortgage credit needs of residents in minority areas.

### UAE interns working at Citibank

Citibank, a member of Citigroup, New York, has partnered with the Higher Colleges of Technology (HCT) to develop a unique one-year internship program encompassing more than 30 university-level UAE students who will be receiving on-the-job training at the bank in Dubai. The interns are mainly from HCT's Dubai Women's College. Others are from Zayed University (ZU), American University of Sharjah (AUS), Dubai University College (DUC) and the Emirates Institute for Banking and Financial Studies (EIBFS). Interns will be placed across bank business lines and will execute defined banking projects. The bank said the unique internship program has the advantage of bridging academia to the practical world of banking through a relatively comprehensive period of training.

### Bank of America hires America/Works trainees

In December, Bank of America, Charlotte, N.C., graduated and hired its 13th class of trainees from America/Works, a collaborative community initiative that has helped thousands of individuals move from poverty to self-sufficiency. The 12-week training program covers skills improvement in communications, typing and 10-key adding machines. Since its founding in 1998, America/Works has trained and placed more than 6,000 graduates in 24 major urban areas of the U.S. In three years, Bank of America has hired an average of 150 people a month from public assistance, with an average retention rate of 89 percent.

### MCU Credit Union members, families can win scholarships

Municipal Credit Union, New York, is offering a college scholarship program which will award 35 grants to exceptional students. Thirty-three of the one-time grants are for \$1,000 each, and two of them—the Charles Faulding and Julian I. Garfield Memorial Scholarships—are for \$5,000 each. MCU members, their children and grandchildren are eligible for the MCU grants. Applicants will be judged on academic performance, extracurricular and community activities, references and personal goals.

Market Notes on page 31

## Young Americans

*continued from page 1*

mission of providing young people with the tools they need to be financially competent adults.

The stories of Young Americans Bank and the Center for Financial Education really need to be told together, said Debbie Pierce, VP, communications, who is quick to point out, "the finances of the bank and the non-profit don't intermingle at all." Pierce works on behalf of both entities. While traditional marketing is not a priority, she emphasizes strong media relations and produces marketing materials in-house. For a special event, she sometimes distributes flyers house-

to-house in the bank's upscale neighborhood.

Young AmeriTowne, modeled on a program by The Learning Exchange in Kansas City, Mo., was developed in consultation with local teachers and bankers. It includes a day-long orientation for participating teachers and a classroom curriculum for youngsters ages 10 to 12. After completing 30 to 40 hours of class work, students are ready for their hands-on experience—a day-long field trip to the Young Americans Center.

In a gym-sized hall boasting model businesses on all four sides, the youngsters assume roles as managers and employees of the imaginary town. The roles include a

mayor, a judge, bankers, news people, delivery persons and health-care workers. The businesses include an auto repair shop, a sign shop, a market and a parcel delivery service. The room buzzes with excitement as these well-prepared young citizens play their roles in a business day at AmeriTowne. Most of the parents, who have volunteered to supervise, stand about looking amazed.

The energy is intense during the role-play. During two 20-minute breaks, some students are assigned to become consumers and shop at the other businesses. On this reporter's visit, a bright-eyed "TV

*Young Americans continued on p. 5*

## Young Americans Bank

Denver • Assets: \$13.7 million

Contact: Debbie Pierce, VP communications  
303-321-2265

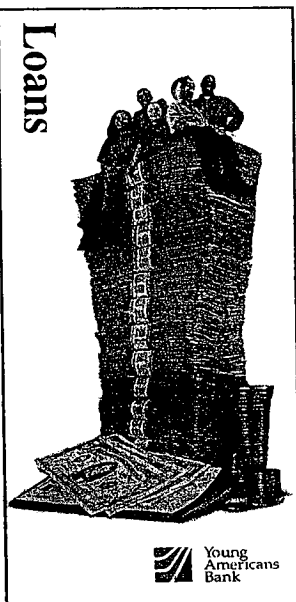
Objectives: To further the economic education of young people so they will be competent and knowledgeable in managing their financial affairs and may prosper in the free enterprise system.

Targets: General public

Media: Direct mail, statement stuffers, point-of-purchase, media relations.

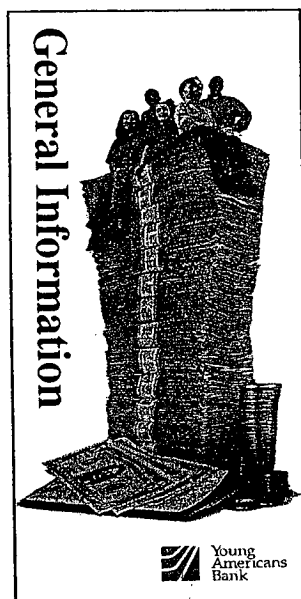
Web site: [www.yacenter.org](http://www.yacenter.org)

**Loans**



Young Americans Bank

**General Information**



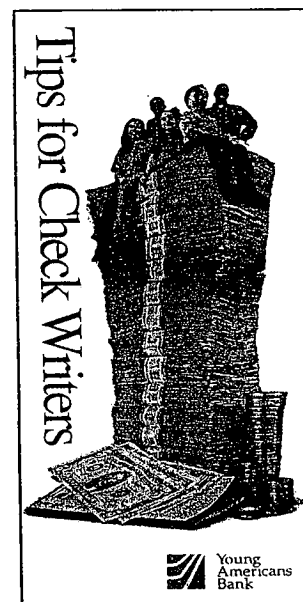
Young Americans Bank

**Mutual Fund Investing**



Young Americans Bank

**Tips for Check Writers**



Young Americans Bank

Bill Daniels developed the educational concept of Young Americans Bank to help youngsters overcome the overwhelming experience of unfamiliarity he had when he first entered a bank at age 22. After growing up in Nebraska during the Depression, Daniels became a successful entrepreneur and noted philanthropist. He was the founder of the cable television industry.

## Guide for Selecting an Automobile

### What is it worth?

This guide is intended to inform and assist a potential borrower in the process of buying an automobile. An auto purchase is often one of the most important and expensive decisions a young borrower will make.

Vehicle Make \_\_\_\_\_ Model \_\_\_\_\_ Year \_\_\_\_\_  
 Current Mileage \_\_\_\_\_ Condition of Vehicle \_\_\_\_\_  
 How does the car look in general? Are the tires in good condition?  
 Is there a spare tire? Does everything work? (windows, heat, air, etc.)

Loan Value (based on the Blue Book value) \$ \_\_\_\_\_  
 Additions/Deductions based on mileage and features \$ \_\_\_\_\_  
 True Loanable Value \$ \_\_\_\_\_  
 Asking Price of Vehicle \$ \_\_\_\_\_  
 Difference Between Asking Price and Loanable Value \$ \_\_\_\_\_

### What terms should I know about automobile loans?

The **Retail Value** is the amount a buyer will pay for an automobile, also known as an automobile dealer's "asking" price.

The **Wholesale Value** is the amount an automobile is worth to a dealer, or the amount the dealer will value the vehicle when it is traded in to apply towards the purchase of another, otherwise known as the "trade-in" value.

The **Blue Book Value** is the value estimated for a vehicle based on an official guide that is specifically used to place a fair value on automobiles. This book contains valuable information for automobile dealers to base the selling price of a vehicle, such as increasing or decreasing the value of a vehicle for low or excessive mileage, and increasing the value for certain features. This book is also called the N.A.D.A. book.

**Depreciation** is the decreasing value or usefulness of a vehicle over time.

The **Odometer Reading** is the amount of miles the automobile has traveled, or mileage.

The **Bill of Sale** is the written document between a buyer and seller that shows the price paid for a vehicle. It includes an odometer (or mileage) reading. The bill of sale is required when buying an automobile and documents the sale in order for the car to change ownership.

The **Sales Tax** is the amount of tax that must be paid based on the retail price of a vehicle and where the buyer lives. In Denver a buyer will pay an additional 7.3% of the vehicle's price in taxes.

**Comprehensive Insurance** means "full coverage" insurance. This is automobile insurance that protects the driver from any accidental damage regardless of which driver is at fault. This insurance is generally required for a vehicle with a auto loan.

**Caption for auto loan application and guide:**  
 The average loan by Young American Bank is \$3,500, and reasons for borrowing include business start-up, school events, and computers in addition to purchase of an auto. Inside the loan application is a guide to help the potential borrower select an automobile.

## Budget Planning Worksheet

### What can I afford?

This worksheet is provided for you to outline your monthly expenses and to determine if a loan would be financially feasible for your individual lifestyle.

List Sources of Income	Gross Income (Before deductions)	Net Income (Take Home Pay)	Paid how often?	Monthly Net Income (Monthly Take Home Pay)
1. Employment				
2. Allowance				
3. Public Assistance				
4.				
5.				
6.				
<b>Total Monthly Income</b>				

List Expenses	Cost per Month (Monthly payment)	Balance Owed (Outstanding balance)
1. Rent/Mortgage		
2. Auto Loan		
3. Car Insurance		
4. Credit Cards		
5. Student Loan		
6. Other Loans (specify)		
7. Food (groceries, restaurants)		
8. Utilities (gas, electric, water)		
9. Telephone (home service, pager, cellular)		
10. Cable Television		
11. Transportation Expenses (gas, repair, bus fare)		
12. Clothing (purchases, dry cleaning, care)		
13. Self Care (haircuts, manicures, cosmetics)		
14. Entertainment (movies, bowling, etc.)		
15. Medical (doctor, hospital, medicine)		
16. Savings (contributions to accounts/investments)		
17. Donations/Gifts		
18. Miscellaneous (specify)		
<b>Total Monthly Expenses</b>		

Disposable Income Calculation	
Total Monthly Income	Minus Total Monthly Expenses
<b>Equals Disposable Income</b>	

## Loan Application

### What to Know About Loans

#### What do I need to know about applying for a loan?

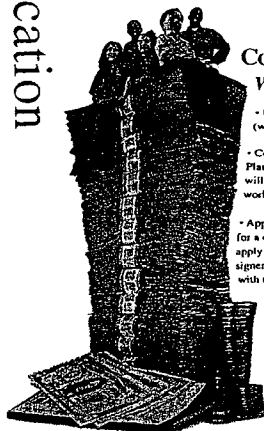
A loan is used to help you pay for something that you want to buy, like a car, college tuition, school trip, or business expenses. When you apply for a loan, you are agreeing to pay the bank back with monthly payments plus interest. Applying for a loan is like asking the bank to trust you to make a purchase and pay the bank over a period of time.

A loan is a serious responsibility. You will be obligated to pay the bank every month. Making monthly payments is important because you will be establishing a history of credit that financial institutions take very seriously. Paying all your loan payments on time every month is the key to establishing a good credit history that you will be proud to have on your credit record. Please read through the Young Americans Bank Loan Brochure carefully.

### Completing a Loan Application

#### Which parts do I fill out?

- Use this application to apply for a personal loan, business loan (with a business plan), or an auto loan.
- Complete the page titled Borrower Information and the Budget Planning Worksheet. If you are applying for an automobile loan you will also need to fill out the Guide for Selecting an Automobile worksheet.
- Applicants under 18 should have a co-applicant complete the page for a co-signer. If you are over the age of 18, you may still need to apply for a loan with a co-applicant. There are many reasons a co-signer may be required. If you have any questions or need assistance with this application please consult a bank officer for details.



**Young Americans Bank**  
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 Fax: 303-321-5081 www.youngamericans.org  
 Member FDIC

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Name on Card \_\_\_\_\_

Signature \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_ Phone \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_

Type of Business \_\_\_\_\_

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## Young Americans

continued from page 3

station employee" with a pony tail approached one of the adults at about 11:30 a.m. with a request: "I need to finish working on a commercial for this afternoon's broadcast. Can I work through my break this morning and take a double break this afternoon?"

Young AmeriTowne serves 150 schools during the school year. Of these, 98% are repeat visitors with new groups of fifth graders. A total of 125,000 kids have gone through the program since it opened in 1990. To help serve the 90 schools on the waiting list, the bank has a new Young AmeriTowne on the planning boards. Pierce says it will be a stand-alone facility in a western suburb of Denver. It will not be attached to a bank branch.

For Young Americans, the completion of funding for the new Young AmeriTowne is the number one priority in the year to come. Also in the works is the development of the Center's Resource Center, a mini-"library" of financial information which is enjoyed by parents, grandparents and teachers as well as students.

Pierce is well aware that the story of Young Americans Bank and the educational center is a "feel-good" story—not the usual fodder for news organizations. However, Young Americans has received considerable local print and TV coverage. Pierce resolves to develop more national contacts in the year to come. The goal is to encourage "all the media" to visit Young AmeriTowne. "You really can't understand what this is unless you see it in action," Pierce said. ■

"Hey, where do I park when we get to Young Americans Bank?"

"For sure don't park in the bus zone in front. They need that space for school buses"

"I parked in the parking lot just south of the building last time. After you turn off First Avenue onto Monroe, go all the way past the building - you'll see the entrance there. It's a covered lot with lots of space."



**Young Americans**

CENTER FOR FINANCIAL EDUCATION

3550 E. First Ave. • Denver, CO 80206 • 303.321.2265

New home to:  
Young Americans Bank  
Young AmeriTowne  
International Towne  
Money Matters Resource Center  
Young Entrepreneur Marketplace  
Other Financial Programs for Youth

Young Americans Bank's user-friendly materials are produced in-house. One of the brightly-colored statement stuffers shown here describes how to find the bank's parking lot and another lists members of Youth Advisory Board, naming the schools they attend.

## Congratulations

to the

### 2002-2003 Young Americans Bank Youth Advisory Board

The following bank customers applied, interviewed and were selected to serve on this year's board.

Antoinette Bronesky, Board Co-Chair  
George Washington High School

Ross Galansky, Board Co-Chair  
Kent Denver

Alexi Atencio, Hamilton Middle School  
Christina Bradley, Colorado Academy

Drew Coffman, Horizon Middle School

Ashley Cook, Kent Denver

Kirstyn Dutton, St. Vincent de Paul School

Tyler Giddings, Kent Denver

Brittney Johnson, Grandview High School

Rebekah Johnson, Denver School of the Arts

John Leer, Regis High School

Devin Muñoz, Lutheran High School

Tyler Pullens, Denver School of the Arts

Jase Roberts, Cherry Creek High School

Kelsey Smith, Kent Denver

Liz Stillwell, Colorado Academy

Samantha Warren, Hill Middle School



Above, banking area of the new facility, which opened in 2002. Young Americans is subsidized by the Daniels Foundation, whose mentor, Bill Daniels died at the age of 79 in 2000, after a long illness. His philanthropies included the largest gift ever awarded to the University of Denver, an \$11 million grant to help revamp the school's master of business program.

*I may not seem like it now, but the future has an odd way of working up on you. It can be a future full of promise and abundance if you believe in yourself, refuse to accept limitations, and nurture your talents. You may dream of running a corporation, becoming a doctor, or having a career in community service. Remember, the "impossible" is only what can't be done—until it is done. The key is to never stop learning. Your knowledge and faith in yourself will help you not only to reach your dreams, but will allow you to make new paths to new dreams.*



YOUNG AMERICANS FOR FREEDOM  
1100 E. Foothill Parkway, Suite 100  
Denver, CO 80202

## Learning and Earning for a Lifetime



### Young AmeriTowne

Young AmeriTowne is a unique "hands-on" learning experience that introduces young people to the business principles of our economic system by allowing them to run their own town. Created in partnership with educators and business people, Young AmeriTowne was designed to provide its participants with relevant life skills.

Young citizens prepare for their day in the town by participating in 42 interactive lessons. They practice job interviews, deliver business pitches, and discover the vital role of community responsibility. Participants gain experience in banking, marketing, customer service, supply and demand, government workings, and our legal system.

By assuming one of the many jobs such as Mayor, Bank President, Newspaper Editor, Accountant or Radio Disc Jockey, participants learn firsthand how an economy works, how businesses operate, how to manage personal and business finances, and how to handle the many responsibilities that go with having a job.

Youth between the ages of 10 and 13 can participate in one of the week-long summer camps, or that school may sign up to participate during their school year. By playing the role of both producers and consumers, these young people learn by doing what it takes to be productive, contributing members of society.

**Young Americans**  
1100 E. Foothill Parkway, Suite 100  
Denver, CO 80202  
Tel: 303.733.9100  
www.youngamericans.org

Young AmeriTowne now has all the visitors it can handle—classes from 150 schools a year. Teachers receive curriculum guides and spend 30 to 40 hours of classwork preparing students for the experience. A second Young AmeriTowne facility, now in the works, will be built in a Denver suburb.

### Young AmeriTowne Curriculum Overview

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- Chapter 1 - Basic Economics**
- Town Tour
  - Economic Cycle
  - Choice and Decision
  - Supply and Demand
  - Product Survey
- Chapter 2 - Banking**
- The Story of Money
  - What is Banking?
  - Savings Accounts
  - Introduction to Checking Accounts
  - Checking I
  - Checking II
  - Checking III
  - Checking IV
  - Checking V
- Chapter 3 - Money Management**
- Budgeting
  - Introduction to Investing
  - Investing in Mutual Funds
- Chapter 4 - Government**
- How Government Works
  - Democratic Process
  - Voting
  - Citizens Election
  - Campaigns
  - General Election
- Chapter 5 - Communications**
- Advertising
  - Interviewing Skills
  - Skills Assessment/Job Applications
  - Resumes
  - Job Interviews
- Chapter 6 - Philosophy**
- Introduction to Philosophy
  - Philosophy and Me
  - Community Caring and Sharing
- Chapter 7 - Business Preparation**
- Business Orientation
  - Business Meetings
  - Assessment Job Training
  - Student and Sales Job Training

### Young AmeriTowne How it Works

When a school starts to participate in Young AmeriTowne, teachers are trained in the curriculum and provided materials to prepare their students for the experience. They also apply and implement the specific concepts of the Young AmeriTowne facility.

The program begins with 40-45 hours of classroom instruction and group activities designed to teach the concepts of the specific concepts of the Young AmeriTowne facility.

The following lessons and activities help students become familiar with economic concepts:

- Supply and demand
- Job skills and work habits
- Civic responsibilities
- Effect of government on business
- Budgeting
- Consumer freedom
- Banking
- Banking a bank account
- Consumer freedom
- Choice and decision
- Decision making

These lessons and activities help students better understand economic concepts that will be important to their lives in Young AmeriTowne, and encourage them to play their role in the town.

During a day-long field trip, the children experience the town and transform from students of economics to citizens of Young AmeriTowne.

"I know and I forget, I see and I understand, I do and I understand."

During the day-long field trip, the children experience the town and transform from students of economics to citizens of Young AmeriTowne.

The following learning objectives begin when each business opens for a day in Young AmeriTowne, and continue throughout the week. They include:

- Handling a personal checking account
- Determining prices
- Job interviews
- Product selling
- Work ethics

Lessons are taught by classroom teachers with the assistance of local business partners who provide business equipment. These lessons help students learn how to manage their resources when they enter the town.

Each business is responsible to deposit their daily checking account at the bank. When students go to work, they become customers, spending their hard-earned money at other businesses.

Advertising on television, radio, and in the newspaper allows businesses to market their products. The newspaper also and local company newspaper for customers' business. The newspaper also has a section where people are available at the local level, and the newspaper college brings home the idea that higher education leads to greater opportunity. The sign and post about people's business, and the newspaper also promotes healthy lifestyles. Every economic decision made by participants becomes a learning experience because of these decisions affect their business as personal finances.

Young AmeriTowne concludes with feedback and evaluation based on the field trip, including balancing personal and business checking accounts. Finally, the Mayor signs the Young AmeriTowne agreement on the "Books of the Town" address.

"Young AmeriTowne is a uniquely interesting and inspiring way for children to learn about and experience what the American free enterprise system is all about."

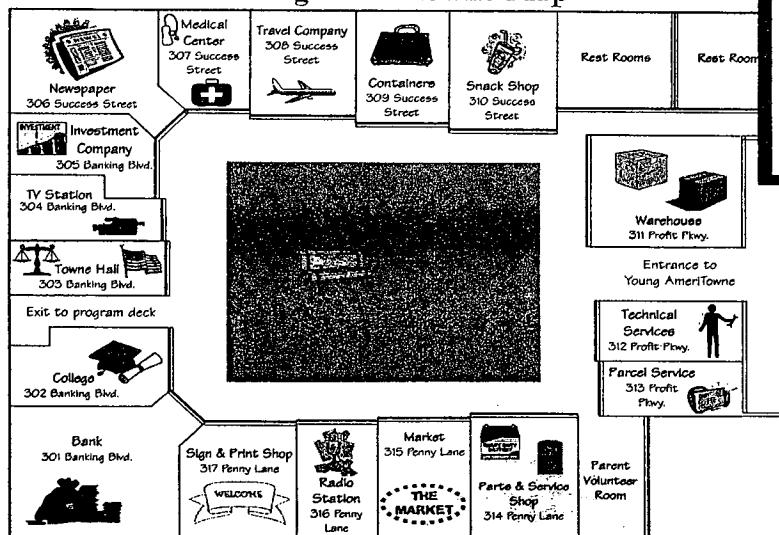
—John W. Williams, President of the American Enterprise Institute

"This program was the best thing we have done off year for our future and our children. Companies are so proud of what they do for us."

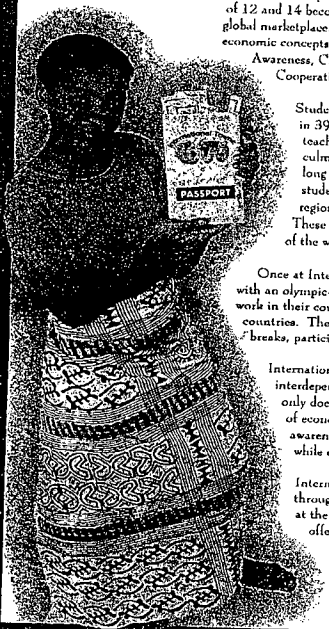
—Sue Clark, Teacher

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### Young AmeriTowne Map



## International Towne



This hands-on program helps young "world citizens" between the ages of 12 and 14 become better prepared for the financial realities of the global marketplace. Designed to teach an array of international economic concepts, International Towne focuses on "4 C's": Cultural Awareness, Citizenship, Currency Exchange, and Global Cooperation through Competition.

Students prepare for International Towne by participating in 39 highly interactive classroom lessons, taught by teachers and resource partners from the community. The culminating experience of this unique program is a day-long trip to the International Towne facility where students-turned-citizens run a world comprised of four regions: AmeriLat, EuRussia, MidAfri, and PacAsia. These four regions represent 16 countries from those areas of the world.

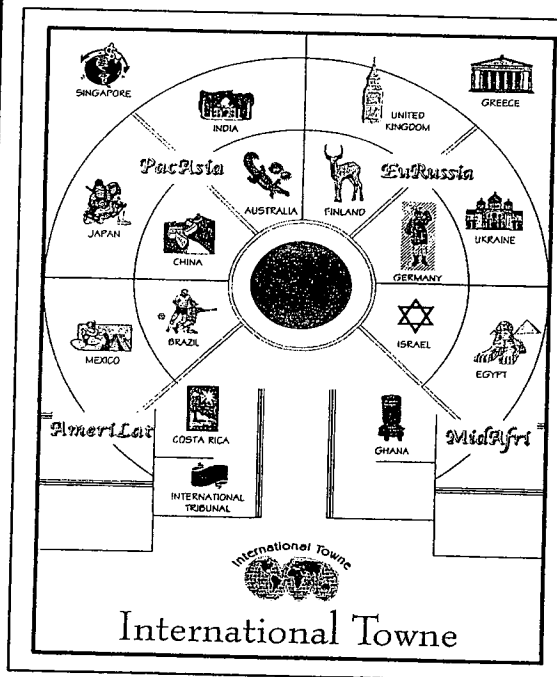
Once at International Towne, these world citizens start their day with an olympic-like Opening Ceremony. After the ceremony, they work in their country to provide goods and services to other countries. They also "travel" as tourists during their assigned breaks, participating in cultural activities and purchasing souvenirs.

International Towne helps participants explore the interdependency of countries within a global economy. Not only does the experience enrich young people's knowledge of economics and geography, but it broadens their awareness of cultures and customs of other countries, while exposing them to global career opportunities.

International Towne will be available to middle schools throughout the school year starting in November 2002 at the new headquarters facility in Denver. It is also offered as a week-long summer camp.

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www.youamc.org

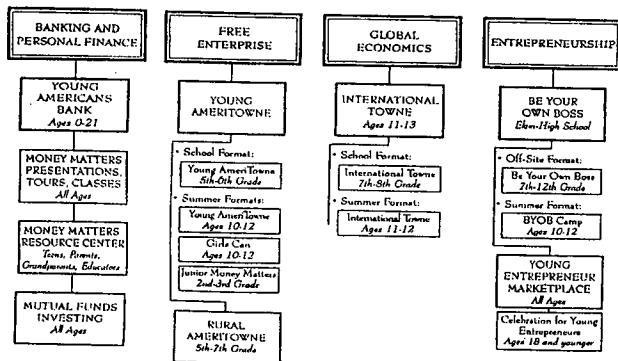
International Towne, to help youngsters ages 12 to 14 become "world citizens," opened at the headquarters building in November 2002. The chart indicates the layout of the gym-sized area, which is decorated with symbols of the various countries.



## Young Americans Center for Financial Education

The mission of Young Americans is to further the economic education of young people so they will be competent and knowledgeable in managing their financial affairs and may prosper in the free enterprise system.

This mission is fulfilled by offering a wide array of hands-on educational programs and opportunities that complement and reinforce each other to build life skills, work skills and financial self-sufficiency. Since 1987, over 200,000 youth have participated in the following programs and educational experiences.



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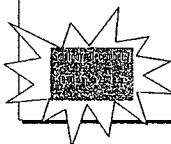
This diagram, with text on reverse side, is meant to clarify the relationships of Young Americans' various components. Rural AmeriTowne, an adaptation of Young AmericaTowne for the rural economy, is operated in north-eastern Colorado and across the Kansas and Nebraska borders.





## Wanted:

**Young business people to sell their products and services at our Young Entrepreneur Marketplace.**



If you have your own business and need a place to sell your products or services —

The 8th Annual Young Entrepreneur Marketplace is for you!

To learn more about this exciting business opportunity  
Take an application packet.

The Young Entrepreneur Marketplace is an annual holiday event of the Young Americans Center, where the community is invited to purchase students' products and services. With their parents' permission and a \$15 fee, students receive a table and chair in a booth space, a moneybag and calculator, marketing flyers, a business sign and other support.



October 7, 2002

Dear Potential Marketplace Participant:

Thank you for requesting a Young Entrepreneur Marketplace application. You can be part of this exciting business opportunity by completing the following steps:

- 1) Complete the application
- 2) Read through the guidelines
- 3) Sign the "Agreement for the Marketplace"
- 4) Mail the completed application and signed agreement to Young Americans, Attn: Tanya Breeling, 3550 E 1<sup>st</sup> Ave., Denver, CO 80206, with a non-refundable \$15.00 registration fee by October 25, 2002.

Please feel free to send in a small sample of your products or explanation of your services. These items will not be returned. Applications will be accepted on a first-come basis until all spaces are filled.

The Marketplace is open to all young business owners. If you are under 22 years old and run your business alone, with a partner or a youth business group you can sell your products and services. All products must be made by someone under the age of 22 and must be sold at the Marketplace by the youth business owner(s).

You will receive a confirmation letter two weeks after the application is received.

Shoppers will be looking for a variety of gifts and services. Start building your inventory today!

Sincerely,

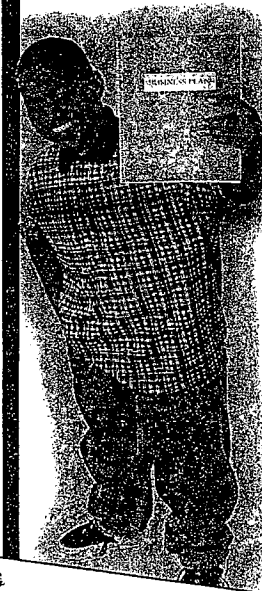
*Tanya Breeling*

Tanya Breeling

Assistant Vice President, Programs

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## Young Entrepreneur Marketplace



The Young Entrepreneur Marketplace is an annual event at the Young Americans Center for Financial Education. It provides a vibrant setting for young entrepreneurs to display and sell their products or services in a organized, lively atmosphere. Youth business owners pay a nominal fee to rent booths for the opportunity to meet and sell to friendly, youth-supportive shoppers from all over the metro area. Businesses feature items such as handmade jewelry, creative stationery, home-based goods, party planning services, specially designed greeting cards, and computer consulting.

The Young Entrepreneur Marketplace is for young people interested in marketing their products or services to customers who are supportive of their youth businesses. Along with the efforts of marketplace participants, Young Americans advertises to community business leaders, board members, parents of program participants, organization volunteers, and other youth-serving organizations.

The participating young entrepreneurs experience the world of business and learn about professionalism, good customer service skills, unique business techniques, and proper communication skills. They learn the importance of supply and demand, competitive pricing, financial management, and the role they play in the world of business.

The Young Entrepreneur Marketplace welcomes young business people of all ages and levels of experience.

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### Young Entrepreneur Marketplace Application

Business Name \_\_\_\_\_

Owner's Name (s) Please put a "next" to male, female \_\_\_\_\_

Website address? \_\_\_\_\_  
Street Address, City, State, Zip \_\_\_\_\_

Phone \_\_\_\_\_

In detail, explain the products and/or services that you sell \_\_\_\_\_

How did you get the idea for your business and how long have you been in business? \_\_\_\_\_

Do you run your business year-round? \_\_\_\_\_ yes \_\_\_\_\_ no

Have you participated in the Young Entrepreneur Marketplace? \_\_\_\_\_

If you are under 18, write the name of \_\_\_\_\_



**Guidelines for the Young Entrepreneur Marketplace**  
**December 7, 2002**  
**10:00 a.m.-2:00 p.m.**  
**3550 E. 1<sup>st</sup> Ave (at Monroe)**

#### Expectations

- All products must be original products that are made or assembled by the child. No manufactured products will be accepted this year.
- All booths must have a child selling the products or services to the customer, not an adult.
- Greet guests and share your information about your business.
- Have Fun! What a great opportunity to really sell yourself and meet some great people.

#### Check-In

- Check-in with Tanya Breeling or CJ Jureff as early as 8:30 a.m. at the top of the stairs.
- Booths need to be completely set up by 9:45 a.m. **NEW MARKETPLACE TIME!**
- We will meet at 9:30 a.m. to go over some general housekeeping announcements.

#### Your Booth Space Includes

- One 6ft. table.
- Tablecloth.
- Tables are arranged in a specific order. Please do not move the table. Store extra materials under the table and out of view.
- 1 chair per business owner.
- 8.5" x 11" business sign.
- Moneybag and calculator.
- Marketing flyers.
- Gift cards to give to customers.

#### Booth Set-up/Take Down

- Parents may help children set up the booths and then may watch their children succeed in selling their own products or services.
- Display your items or services. Items need to fit on the top of table.
- Do not drape anything on the wall or hand railings.
- Young Americans will have tape and scissors available, if needed.
- Booths may not be taken down until 2:00 p.m.

#### What to Bring With You

- At least \$20.00 worth of change to begin with for your customers. A few Young Americans staff members will have change during the day. Businesses can take either checks or cash. The checks should be written to Young Americans Center for Financial Education (YACFE) and will be cashed out at the end of the Marketplace by a staff member.
- Flyers, business cards, or any other promotional information you have available.
- Completed gift cards. (Will be mailed to you with a confirmation letter.)
- A BIG SMILE — to better sell your products to the community.

*Each of us is on a never-ending path of learning how to manage our lives. We must learn how to manage our emotions, our time, and our money. The better—and earlier—we learn these lessons, the more balance and stability we will find in our lives. And then, more possibilities will come our way. Life will always be complicated and hard choices will have to be made. It is always a wise choice to manage life rather than let life manage us.*

## Taking Personal Control



**NCFE** NATIONAL COUNCIL FOR FINANCIAL EDUCATION  
Partnership for Financial Skill-Building

**YOUNG AMERICANS EDUCATION FOUNDATION**  
"The future begins here"

Educational materials abound throughout the Young Americans Center. These information cards list points for saving and investing money, spending money wisely and developing a budget, or spending plan.

*Every successful person started with a very humble beginning: a dream. Then, they worked to make that dream a reality. It wasn't easy. They had to stay focused. Often this meant postponing today's wants for tomorrow's goals. But it was worth it—it justified the faith they had in themselves. How much faith do you have in yourself? Do you have enough faith to dream big? Work on saying "yes" to yourself. Then start working and saving toward that dream. Remember, this investment is simply the faith you have in yourself put into action.*

## Investing in Yourself

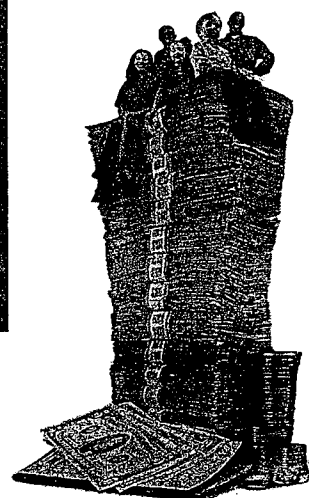


**NCFE** NATIONAL COUNCIL FOR FINANCIAL EDUCATION  
Partnership for Financial Skill-Building

**YOUNG AMERICANS EDUCATION FOUNDATION**  
"The future begins here"

*It is always fun to think of how we would spend a big pile of money, isn't it? But it is more important to remember that we are more than what we own. Inside each of us is a person with unlimited possibilities. But that person within has to be nurtured and allowed to grow. It is always better to spend on personal promise and growth than on possessions. Does your spending reflect an investment in yourself? When you can answer "yes" to that question, a future without limits will open up to you.*

## Spending on Promise



**NCFE** NATIONAL COUNCIL FOR FINANCIAL EDUCATION  
Partnership for Financial Skill-Building

**YOUNG AMERICANS EDUCATION FOUNDATION**  
"The future begins here"

# Features Gallery

## Wachovia brings new PGA tournament to Charlotte, N.C.

By Tom Rees

Charlotte, N.C.-based Wachovia Corp. is moving into promoting the Professional Golf Association (PGA) TOUR in a big way.

Wachovia, the nation's fourth largest financial services company, is the title sponsor of the Wachovia Championship to be held at the Quail Hollow Club, Charlotte, May 5-11. This is a new official PGA TOUR event.

The Wachovia Championship's \$5.6 million purse, one of the largest on the tour, guarantees the winner in excess of \$1 million and is expected to draw the tour's top golfers.

Proceeds from the event will go to Teach for America, an educational foundation that helps place qualified teachers in underserved rural and urban areas.

Wachovia launched its promotion of the golf event in mid-November 2002 with print ads, direct mail and a 30-second television commercial in the Charlotte region. The second phase of the campaign, which will fire up in the spring, will broaden its reach to the Carolinas and beyond.

As the campaign blossoms it will have used newspaper, television, direct mail, Web site, some point of purchase and outdoor advertising elements.

The campaign's objectives are to position the Wachovia Championship as a premier PGA TOUR event, sell ticket capacity and increase the visibility of the Wachovia Corp.

"The Wachovia Championship is going to be a premier event, and one of the most popular on the PGA TOUR," said Dan Fleishman, senior VP and director of sponsorships and alliances for Wachovia. "The inviting imagery, appealing message and creative positioning of the tournament and our corporation set just the tone."

Targets of the ad campaign depend somewhat on the specific pieces. Some are targeted toward corporate executives to promote hospitality venues and others target golf lovers/players in the greater Charlotte region and the Carolinas.

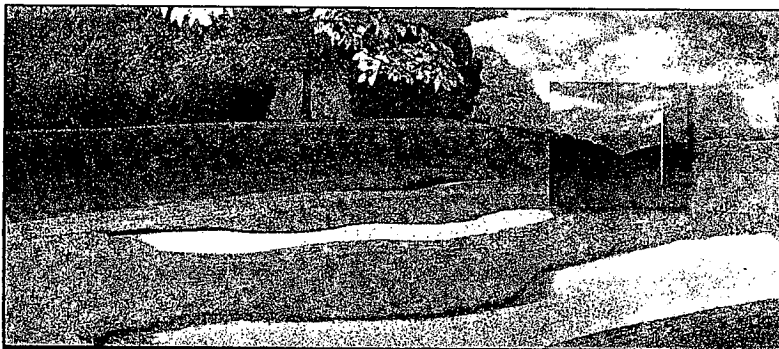
Four weeks into the campaign, 40%

—approximately 12,000—tickets were sold. Wachovia, in keeping with its corporate values, is striving to make the event very inclusive. For example, seven-day ticket books are being sold for \$110. Families and groups can share a book.

Hospitality is 100% sold, with more than 50 companies booking major venues and another more than 30 companies purchasing tables. According to PGA officials, this early sell-out of corporate hospitality is virtually unprecedented.

The television commercial was produced by Luquire George Andrews Inc., Charlotte's largest full service advertising and public relations agency, which is handling ticket sale marketing and public relations for the Wachovia Championship.

By urging viewers to "Get closer to the greens. And the blue," the ads convey the classic nature of the event, while announcing the current seven-day ticket book sale and subtly reinforcing Wachovia's new corporate colors—green and blue. ■



Weekly ticket books now available for the Wachovia Championship.

### Get closer to the greens. And the blue.

The lush greens of Quail Hollow Club, under gorgeous Carolina blue skies. Enjoy it all as one of the year's most prestigious PGA TOUR events comes to Charlotte. Don't miss the inaugural Wachovia Championship, held May 5-11 at the beautiful Quail Hollow Club. A star-studded field of the world's finest golfers will compete for a \$5.6 million purse, one of the TOUR's largest. The winner walks off with over \$1 million; you walk away with the experience of a lifetime.

The number of tickets sold will be limited, so hurry. As a 2003 weekly ticket book purchaser, you're guaranteed the first chance at renewing your tickets for next year's tournament.

You're this close to being there.

Enjoy the entire tournament with a weekly ticket book for just \$110.

Phone: Call us at 800/645-0977

Online: Order tickets at [wachoviachampionship.com](http://wachoviachampionship.com)

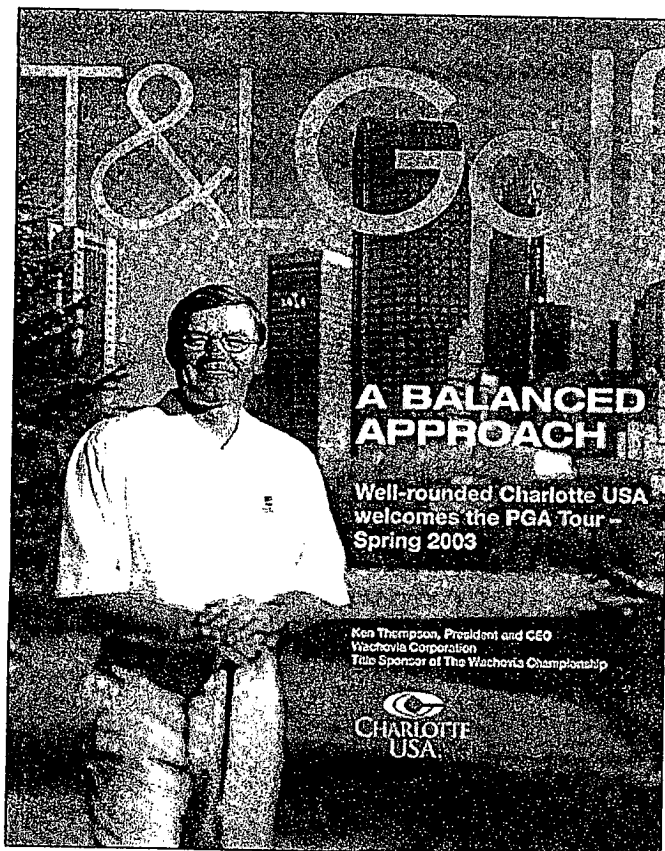
Mail us for a ticket book: Send by a local Wachovia or First Union financial center, any Charlotte location, or call 704/373-1234 for a ticket brochure.



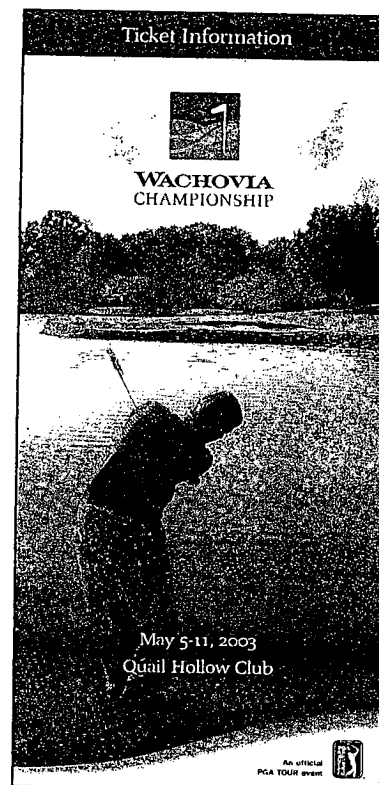
A new logo, newspaper, other print advertising and television commercials used Wachovia Corp.'s new corporate colors—green and blue—in spot applications in promotional materials for the new Wachovia Champion pro golf tournament in Charlotte, N.C., this May.



## WACHOVIA CHAMPIONSHIP



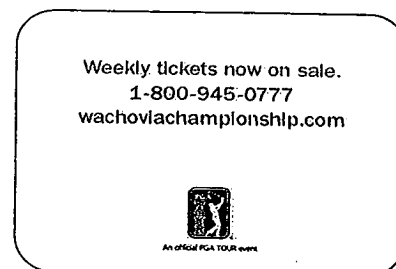
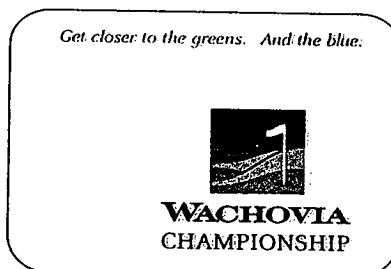
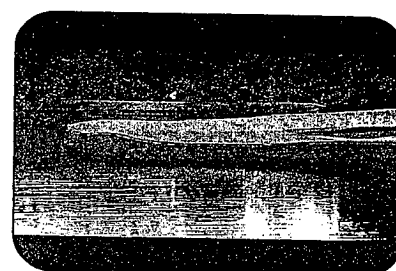
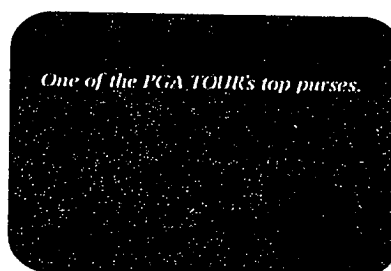
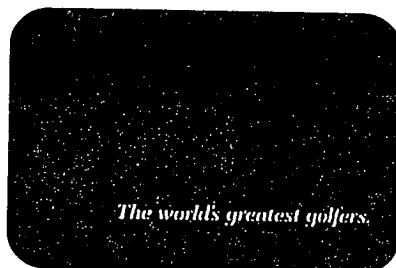
## Features Gallery



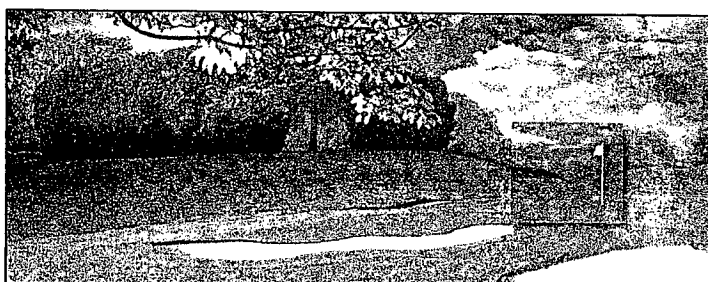
**30-Second  
Television  
Spot**

Ken Thompson, president and CEO of Wachovia Corp., was featured on cover wrap promoting the Wachovia Championship on Travel and Leisure Golf magazine. Ticket information also was made available by direct mail.

A 30-second television commercial, highlighted by the green of the putting green and the blue sky, encouraged viewers to "Get close to the greens. And the blues."



# Features Gallery



Tickets now available for the Wachovia Championship.



Please take a ticket brochure.

## Get closer to the greens. And the blue.

The lush greens of Quail Hollow Club, under gorgeous Carolina blue skies. Enjoy it all as one of the year's most prestigious PGA TOUR events comes to Charlotte.

Don't miss the inaugural Wachovia Championship, held May 5-11 at the beautiful Quail Hollow Club. A star-studded field of the world's finest golfers will compete for a \$5.6 million purse, one of the TOUR's largest. The winner walks off with over \$1 million; you walk away with the experience of a lifetime.

The number of tickets sold will be limited, so hurry. As a 2003 weekly ticket book purchaser, you're guaranteed the first chance at renewing your tickets for next year's tournament.

You're this close to being there.

Four easy ways to buy tickets now!

Online:

Visit us at [wachoviachampionships.com](http://wachoviachampionships.com)

Phone:

Call us at 800/945-0777 Monday - Saturday, 8 a.m. to 8 p.m.  
Sunday, 10 a.m. to 6 p.m.

Mail/Fax:

Fill out the form in the attached ticket brochure and mail it in with your credit card information or check made out to "Champions for Education." Or fax it with your credit card information to 704/383-2784.



WACHOVIA  
CHAMPIONSHIP

## Wachovia Corp.

Charlotte, N.C. • Assets: \$320 billion

Contact: Allison Miley 704-383-9763

Agency: Luquire George Andrews Inc. (Charlotte, N.C.)

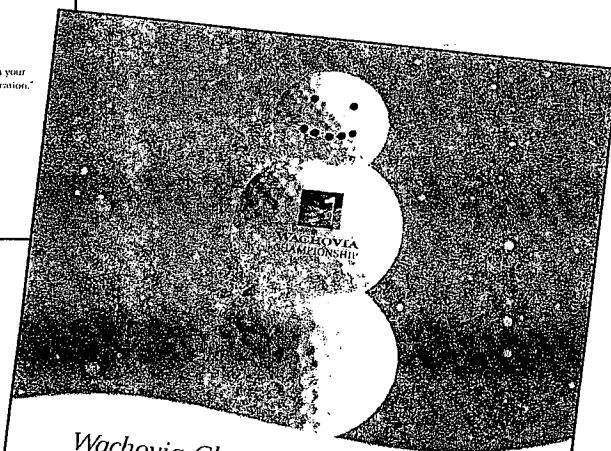
Agency Contact: Nora Carr 704-552-6565

Objectives: To position Wachovia Championship as a premier PGA TOUR event; sell ticket capacity; increase visibility of Wachovia Corp.

Targets: Golf lovers/players in the Carolinas and beyond

Media: Newspaper, television, direct mail, Web site  
outdoor, point of purchase

Web site: [www.wachoviachampionship.com](http://www.wachoviachampionship.com),  
[www.wachovia.com](http://www.wachovia.com), [www.firstunion.com](http://www.firstunion.com)



## Wachovia Championship golf tickets. The perfect holiday gift.

Got golf lovers on your list? Here's a gift that's sure to put a smile on their faces. Give weekly ticket books to the inaugural Wachovia Championship golf tournament, being held May 5-11 at the beautiful Quail Hollow Club in Charlotte. It's a rare opportunity to watch a star-studded field of the world's greatest golfers, up close and personal. They'll be competing for a \$5.6 million purse, one of the largest on the PGA TOUR. The number of tickets sold will be limited, so don't wait. Order yours today. As a 2003 weekly ticket book purchaser, you're guaranteed the first chance at renewing your tickets for next year's tournament.

Weekly ticket books are available for just \$110.

Phone: Call us at 800/945-0777

Online: Order tickets at  
[wachoviachampionship.com](http://wachoviachampionship.com)

Mail or fax a ticket application:  
Stop by a local Wachovia or First Union  
financial center, any Golf Charlotte location  
or call 704/383-1428 for a ticket brochure.

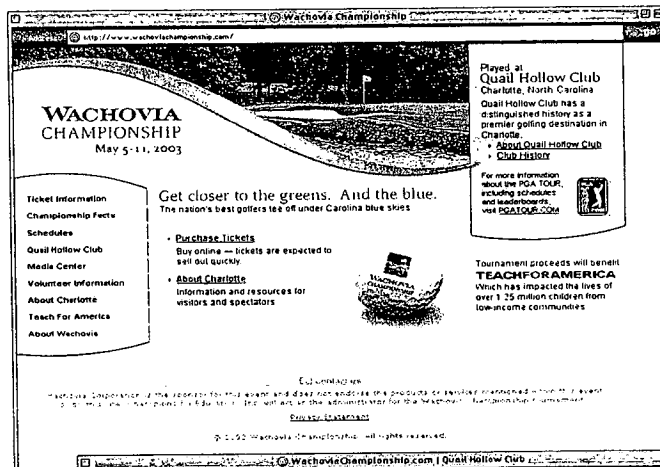


WACHOVIA  
CHAMPIONSHIP

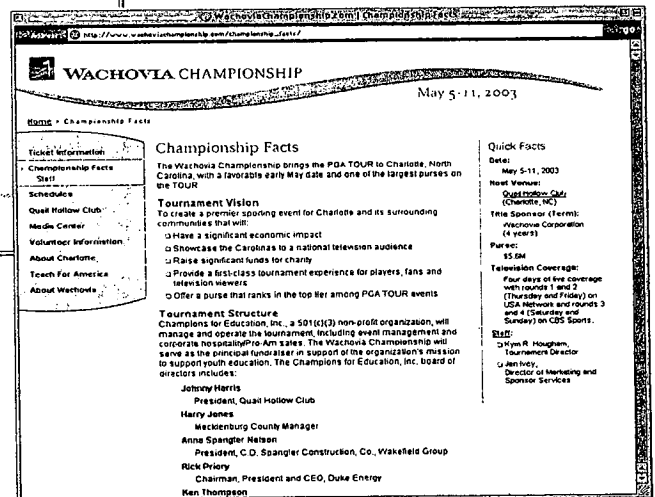
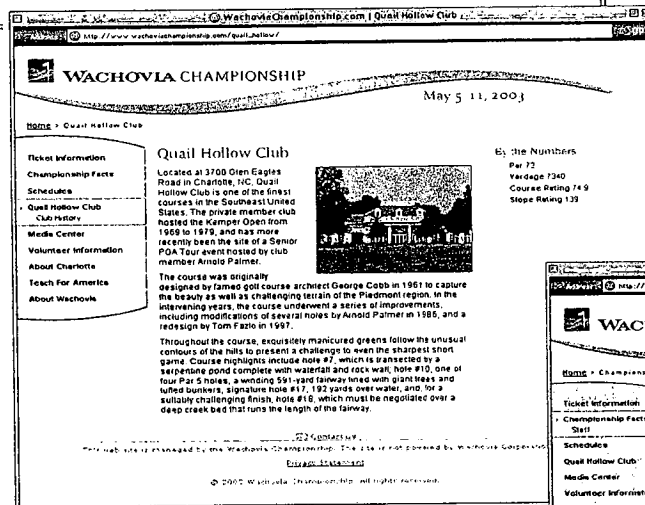


Point of purchase materials and other printed materials encouraged people to take ticket brochures and give golf tickets as gifts during the holidays.

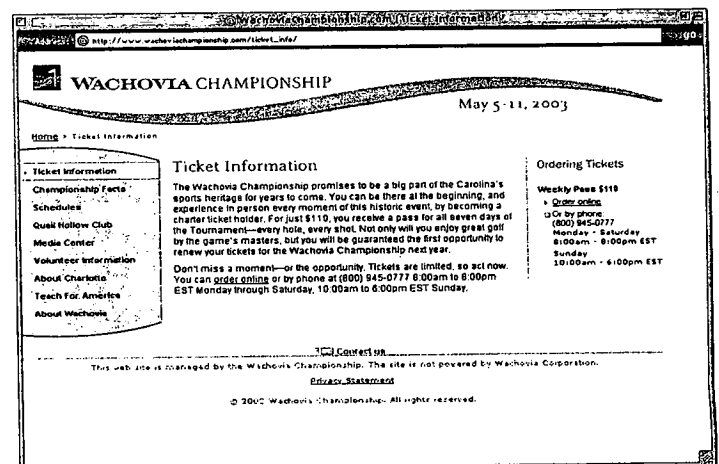
# Features Gallery



A Web site, [www.wachoviachampionship.com](http://www.wachoviachampionship.com), was created to tell visitors all about the pro golf tournament, Wachovia Corp., and Charlotte, N.C. The site also describes the Quail Hollow golf club and Teach for America, which has impacted 1.25 million children from low-income communities.



**What Does Wachovia Mean?**  
The former Wachovia (founded in 1879 in Winston, N.C.) and First Union (founded in 1908 in Charlotte, N.C.) merged on Sept. 1, 2001, to create Wachovia Corp.  
Wachovia (pronounced wa-KO-vee-yah) is the Latin form of the German name "Wachau," (place of water). Moravian settlers from Germany bestowed the name on the tract of land they settled in North Carolina in 1753. The region resembled a valley named *Der Wachau*, which lay along the Danube River in their native land.



# Convenience

## Provident Bank

Montebello, N.Y. • Assets: \$1 billion

Contact: Rita Champ 845-369-8341

Agency: Austin & Williams (Hauppauge, N.Y.)

Agency Contact: Rick Chiorando  
631-231-6600 Ext. 180

Objectives: To promote weekend hours and checking services.

Targets: Potential customers in Orange and Rockland Counties

Media: Newspaper

Web site: www.providentbanking.com

## Your Investments Don't Take the Weekend Off. NEITHER DO WE.

Investment Management and Trust Services

Private Funds

Advisors

Portfolio Management

Equity Funding and Trusts

IRA Services

Employee Benefits Packages

### Provident Bank's Investment Professionals work for you seven days a week.

YES... Provident Bank is the only local bank with fully-staffed branches open on Saturday and Sunday.\* But we invest more than just time in your accounts.

As the only bank with a local headquarters for Trusts in Rockland County, we maintain close ties to our clients. Our Investment Management and Trust Department brings a wealth of big-city experience to you, with the close personal attention your investments deserve.

And that's not just working longer. It's working harder to earn your trust. Every day.

Call Stephen Cosgrove, Senior Vice President, Investment Management and Trust Department at 845-369-8047. All You Need. All Week Long.

**Provident Bank**

www.providentbanking.com

All Provident Bank branches are open on Saturday and even on Sunday in Hillcrest, Mount Ivy, Nanuet, and at these ShopRite locations: New City, Pearl River, Middletown and Warwick.

## Our Mortgage Rates Are So Low, NO WONDER WE'RE OPEN WEEKENDS!

3-YEAR ADJUSTABLE RATE MORTGAGE*	
3.99%	RATE
4.64%	APR
NO POINTS	

5-YEAR ADJUSTABLE RATE MORTGAGE*	
4.99%	RATE
4.90%	APR
NO POINTS	

At Provident Bank, you can find your dream house on Saturday and finance it on Sunday.

Yes... our Mortgage experts are available at your convenience, helping customize rates and terms to your needs - simplifying the entire process so owning your own home is easier and more affordable than ever.

Pick up a Mortgage Convenience Kit at your nearest branch. All You Need. All Week Long.

**Provident Bank**

www.providentbanking.com

\*All Provident Bank branches are open on Saturday and even on Sunday in Hillcrest, Mount Ivy, Nanuet, and at these ShopRite locations: New City, Pearl River, Middletown and Warwick.



# Convenience

## Two More Great Reasons to Open a Provident Bank Checking Account: **SATURDAY & SUNDAY.**

**Free Checking**  
• FREE for life  
• FREE with direct deposit after first year  
• FREE minimum balance requirements

**Select Checking**  
• FREE with \$100 minimum balance  
• Earn interest with \$100 minimum balance  
• Extra value + \$200 benefits  
• Select Plus Checking offers no minimum balance requirements for all \$50+ funds

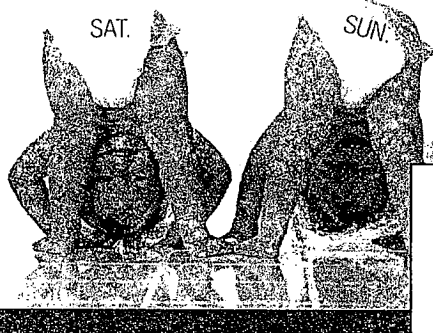
**Pro-Fit 18 Checking**  
• For those 36 years or older  
• FREE with \$100 minimum balance  
• Earn interest + \$10 for details  
• Extra value added benefits  
• Pro-Fit 18 Checking offers no minimum balance requirements for all \$50+ funds

YES... at Provident Bank you can choose the checking option that's just your style... but our Checking is more than customized. It's convenient - so you can open a checking account at Provident Bank's fully-staffed branches on Saturday and even Sunday.\*

Our Checking options don't just give you choices... they open the door to a more convenient way to bank. All You Need. All Week Long.

**Provident Bank**  
www.providentbank.com

\*All Provident Bank branches are open on Saturday and even on Sunday in Millersburg, Mount Ivy, Mount Pleasant, and at these ShopRite locations: New City, Pearl River, Middletown and Warwick.



These newspaper ads, currently running, are designed primarily to draw attention to the availability of Saturday and Sunday banking. Additional messages relate to specific products: investment counseling, mortgages, and checking options. A non-product related ad, below, addresses the customer's relationship with the bank.

## It's 1:00 p.m. on Sunday... **DO YOU KNOW WHERE YOUR BANKER IS?**

Branches open Saturday & Sunday:  
Haverstraw: 845-426-7230  
Middletown ShopRite: 845-342-5777  
Mount Ivy: 845-364-5690  
Nanuet: 845-637-6180  
New City ShopRite: 845-639-7650  
Pearl River ShopRite: 845-627-6170  
Warwick ShopRite: 845-986-9540

Branches open Saturday:  
Armonk: 845-369-8360  
Bardonia: 845-623-6340  
Cargene: 845-267-2180  
Florida: 845-651-4091  
Haverstraw: 845-942-3880  
New City: 845-639-7750  
Orangeburg: 845-398-4810  
State Hill: 845-355-6181  
Sunny Point: 845-942-3890  
Suffern: 845-369-8350

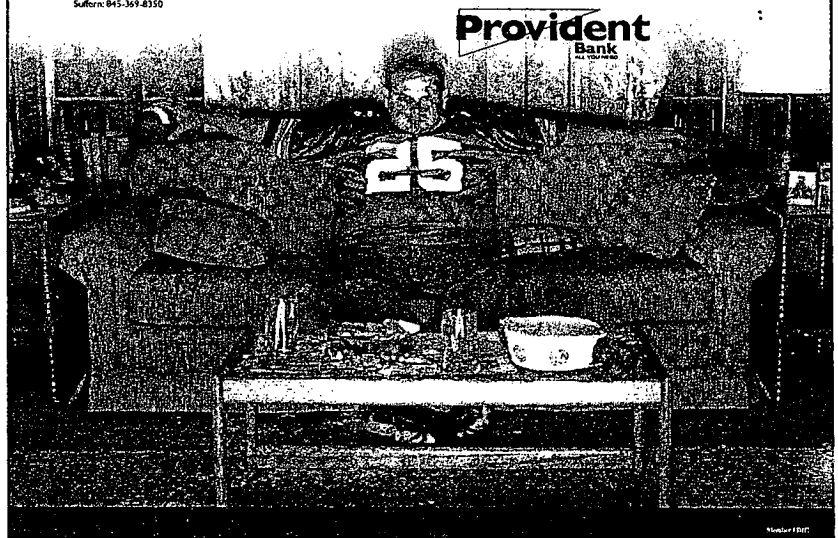
Is he watching the game, or watching your accounts?

**At Provident Bank, our entire team goes into overtime on Saturday AND Sunday...**

Yes... our branches have extended hours with a full staff on Saturday and even on Sunday at select locations. Plus, you always have access to your account with:

24-hour Online Banking -  
www.providentbanking.com

24-hour InfoLine -  
In Rockland, call 357-INFO (4636).  
In Orange, call 651-BANK (2265).





## Campaign Spotlight

### Roslyn Savings Bank

Jericho, N.Y. • Assets: \$10 billion

Contact: Walter Mullins 516-942-6954

Agency: Austin & Williams (Hauppauge, N.Y.)

Agency Contact: Rick Chiorando

631-231-6600 Ext. 180

Objectives: To introduce a grand opening with the offer of a Perks Card.

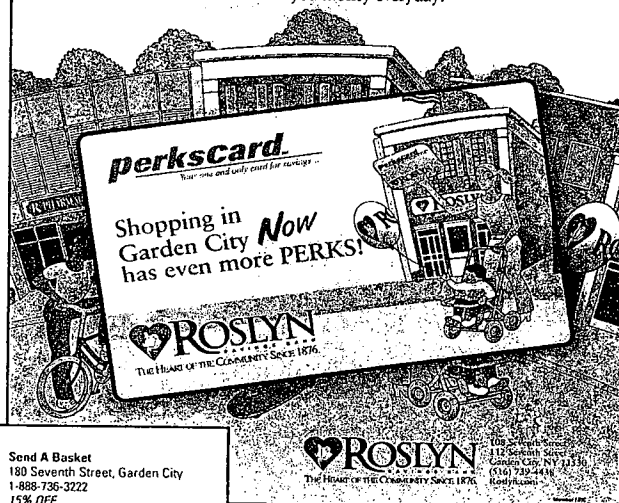
Targets: Local community

Media: Newspaper, direct mail point of purchase, statement stuffers

Web site: www.roslyn.com

## Shopping in Garden City... *Now* has even more PERKS!

Get a FREE PerksCard™ Savings Card and enjoy discounts at many Garden City merchants. Visit [perkscard.com](http://perkscard.com) to locate hundreds of merchants nationwide that can save you money everyday!



#### Andrew Roberts

728 Franklin Avenue, Garden City  
516-746-2828  
15% OFF

**Annastasia Full Service Salon**  
730 Franklin Avenue, Garden City  
516-739-9796  
15% OFF

**Atlantis Chemists**  
152 Seventh Street, Garden City  
516-873-8058  
Buy 1 get 1 FREE  
Windmill Vitamins.  
50% OFF Greeting Cards.

**Bagelman**  
664 Franklin Avenue, Garden City  
516-746-2881  
15% OFF

**Bestever Cleaners**  
168 Seventh Street, Garden City  
516-747-5505  
10% OFF min. \$15.00 order.

**Chico's**  
179 Seventh Street, Garden City  
516-877-1630  
Show your Roslyn Savings Bank/PerksCard™ and receive monthly catalog with savings coupons.

**Clancy & Clancy Brokerage**  
114 Seventh Street, Garden City  
516-746-2155  
FREE insurance evaluation and FREE gift.

**diSalvo Galleries, Ltd.**  
840 Franklin Avenue, Garden City  
516-873-6011  
20% OFF on purchases of \$1500 or more.

**Dunkin' Donuts,**  
**Baskin-Robbins, Togo's**  
165-167 Seventh Street, Garden City  
516-248-4744  
10% OFF

**Elegant Events by Hoffman's**  
180 Seventh Street, Garden City  
1-866-96CATER  
15% OFF

**Ellmer & Ellmer Attorneys at Law**  
600 Old Country Road, Garden City  
516-228-9455  
25% OFF hourly rate or customary flat fees.

**Garden City Bistro**  
662 Franklin Avenue, Garden City  
516-747-3696  
10% OFF

**Garden City Deli**  
100 Seventh Street, Garden City  
516-746-1480  
15% OFF

**Garden City Florist**  
173 Seventh Street, Garden City  
516-747-2121 or 1-800-Bunches  
15% OFF in-store purchases and Nassau County deliveries.

**Garden City Hotel**  
45 Seventh Street, Garden City  
516-747-3000  
Special Offer to Friends and Family of Roslyn Savings Bank: \$259.00 based upon availability.

**Garden City Shoe Shop, Inc.**  
178 Seventh Street, Garden City  
516-747-3242  
10% OFF

**Garden City Skin Care Center**  
166 Seventh Street, Garden City  
516-746-8403  
15% OFF facials.

**Gerry Anne's Gold Crown Hallmark**  
98 Seventh Street, Garden City  
516-747-0223  
10% OFF any purchase of \$10.00 or more. Excludes lottery & newspapers.

**GiGi's Italian Specialties**  
162 Seventh Street, Garden City  
516-248-8141  
10% OFF on any purchase of \$10.00 or more

**Hengstenberg's Florist**  
735 Franklin Avenue, Garden City  
516-741-0810  
10% OFF

**H.L. Gross & Bro. Jewelry**  
815 Franklin Avenue, Garden City  
516-747-6666  
Minimum 20% OFF ricketed price on any jewelry item.

**Hoffman's Delicatessen**  
180 Seventh Street, Garden City  
516-747-3680  
15% OFF

**Hubbell & Klapper, Inc.**  
65 Hilton Avenue, Garden City  
516-747-2900  
Gift of \$300.00 good towards painting your house at time of closing or a FREE consultation with a leading NYC decorator. FREE Market Analysis.

**Jean Marie Patisserie**  
150 Seventh Street, Garden City  
516-739-2403  
25% OFF min. \$20 purchase.

**Joseph & Joseph Men's Clothiers**  
132 Seventh Street, Garden City  
516-741-7524  
15% OFF any tuxedo rental.

**Key Food MarketPlace**  
153 Seventh Street, Garden City  
1-718-347-1900  
Pick up your club card at Key Food MarketPlace and you will receive a \$5.00 coupon to be redeemed with the purchase of \$25.00 or more.

**Liberty Travel**  
736 Franklin Avenue, Garden City  
Complimentary 1-year Membership and Gift of a stylish Tote Bag. Membership also includes advance notice of sales, unpublished discounts and deals, room upgrades, car rental upgrades, resort credits, FREE gifts, savings on sight-seeing attractions, golf fees and more.

**Mopak Service Center, Inc.**  
Franklin & Seventh Street, Garden City  
516-248-1166  
\$5.00 OFF oil, lube & filter.

**Newport Grill**  
176 Seventh Street, Garden City  
516-746-2592  
Complimentary glass of wine, draft beer or soft drink with purchase of entrée at dinner. (Not valid with early bird or other discounts). Offer expires 11/31/02.

**Pay/Hall**  
910 Franklin Avenue, Garden City  
516-294-6700  
Buy any pair of women's shoes & get a second at 25% OFF. Second pair must be of equal or lesser value.

**Printing X-Press**  
745 Franklin Avenue, Garden City  
516-741-0520  
15% OFF to new customers.

**Riesterer's Bakery & Café**  
98 Seventh Street, Garden City  
516-741-0030  
10% OFF purchases of \$10.00 or more.

**Send A Basket**  
180 Seventh Street, Garden City  
1-888-736-3222  
15% OFF

**Southampton Blazer & Button Co.**  
130 Seventh Street, Garden City  
516-741-7524  
50% off any set of Blazer Buttons with Blazer Purchase (Made in England).

**TCBV**  
158 South Street, Garden City  
516-741-5132  
15% OFF

**Town Meat Market**  
157 Seventh Street, Garden City  
516-747-1422  
10% OFF

**Dr. James N. Trentalange, DDS**  
70 Seventh Street, Garden City  
516-741-2955  
10% OFF pre-paid orthodontic care.

**You-nique Boutique**  
181 Seventh Street, Garden City  
516-746-8338  
15% OFF

**perkscard.com**  
Your one-stop on-line shopping guide. Visit our website to locate thousands of merchants & professionals that can save you \$\$\$ everyday!

Compliments of  
**ROSLYN**  
The Heart of the Community Since 1876.

Roslyn Savings Bank offered a gift of a customized perks card to celebrate the reopening of a branch and call attention to its extended hours. This flyer was distributed at the bank and mailed to customers as a statement stuffer.

Roslyn Savings Bank does not endorse nor warrant the discounts, services and programs that the PerksCard™ provides. Card Expires August 31, 2003.

*Come Celebrate Roslyn's BIGGER branch and EXTENDED hours...  
Get FREE gifts and so much more!*

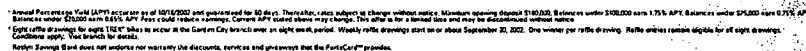
- 
- porkcard**  
 Shopping in  
 Garden City *Now*  
 has given you **PERKS**  
**ROSLYN**  
 AN AMERICAN COUNTRY CLUB

Roslyn is proud to be part of Garden City's distinguished history and we're committed to the community's ongoing growth and success. Come in and celebrate!



108 Seventh Street  
Garden City, NY 11530  
(516) 739-4438  
Roslyn.com

**Visit us at  
the Garden City  
Street Fair!  
Saturday, Oct. 26**



**Participating Garden City ParksCard® Merchants**  
 Andrew Roberts • Annastasia Full Service Salon • Atlantis Chemists • Bagelman • Beastevet Cleaners • Chico's • Clancy & Clancy Brokerage • diSalvo Galleries, Ltd. • Dunkin' Donuts • Baskin-Robbins • Topco • Elegant Events by Hoffman • Elmdor & Elmdor Antiques at Lutz • Garden City Bistro • Garden City Deli • Garden City Florist • Garden City Hotel • Garden City Shoe Shop, Inc. • Garden City Skin Care Center • Gerry Ann's Gold & Crown Hallmark • Gilda's Italian Specialties • Hengstenberg's Retail • H.I. Grass & Bro. Jewelry • Hoffman's Delicatessen • Hubbell & Knapier, Inc. • Jeanie Marie Sentinella • Joseph & Joseph Men's Clothing • Key Food Marketplace • Liberty Walk • Mosak Science Center • NapaVogel Gift & Pay Hall • Printing K-Press • Riesters' Bakery & Cafe • Send a Basket • Southampton Bread & Buton Co. • TCBY • Town Market • Dr. James N. Trontelange, D.D.S. • You-nique Boutique

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## Campaign Spotlight

### Banking in Garden City... *Now* Bigger and More Convenient!



Color this sheet and win cash! Six winners will be selected in a random drawing for cash prizes of \$300 each. Open to children 12 and under.  
Please list your name, address and age on reverse side and submit your completed coloring sheet to Roslyn's Garden City branch at 108 and 112 Seventh Street by 10/29/2003. One entry per child.  
Employees of Roslyn Savings Bank, its subsidiaries, the Bank's advertising agency and their immediate families are not eligible. All federal, state and local laws apply. Void where prohibited. Winners will be selected on or about 10/15/2003.

© Roslyn Savings Bank The Heart of the Community

http://www.roslyn.com/

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**ROSLYN** Savings Bank

Quick Jump  
Free Checking! Go

Online Banking Demo

- Deposit Products
- Checking
- Credit Cards
- Mortgages
- Insurance
- Commercial Lending

**For all the Financial Affairs in your life.**

**Local Economic Outlook**  
Exclusive December 2002/January 2003 Report by Dr. Pearl M. Kainer

**HOT NEWS!**  
Lake Success and Plainview Branches Open!  
Visit our new offices and receive a FREE Gift when you open a Qualifying CD or Checking Account. Enter our raffle!

**FREE Gift**  
when you open a Roslyn Checking Account

FREE Road Gear Car Safety Kit OR  
FREE Mikasa 5'x7" Simone Crystal Frame

Already have a Roslyn Checking Account? Click here to find out how you, too, can get a FREE Gift!

About Us | In Your Community | Roslyn Bancorp | Locations & Hours  
Online Banking | Feedback | Contact | Site Map | Home

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Member FDIC Equal Housing Lender.

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Coloring page, above, turns the creative into an activity and drawing for children ages 12 and under. Six young artists were selected in a random drawing and received cash prizes of \$300 each.

**perksCard™**

Your one and only card for savings...

Shopping in  
Garden City **Now**  
has even more PERKS!

**ROSLYN**  
SAVINGS BANK  
THE HEART OF THE COMMUNITY SINCE 1876.



**Campaign  
Spotlight**

The card is customized,  
offering discounts at  
restaurants, services and  
retail establishments in the  
immediate area.

**Participating Garden City PerksCard™ Merchants**

Andrew Roberts  
728 Franklin Avenue  
Annastasia Full Service Salon  
730 Franklin Avenue  
Atlantis Chemists  
152 Seventh Street  
Bagelman  
664 Franklin Avenue  
Bestever Cleaners  
168 Seventh Street  
Chico's  
179 Seventh Street  
Clancy & Clancy Brokerage  
114 Seventh Street  
diSalvo Galleries, Ltd.  
840 Franklin Avenue  
Dunkin' Donuts  
Baskin Robbins, Togo's  
165-167 Seventh Street  
Elegant Events by Hoffman's  
180 Seventh Street  
Ellmer & Ellmer Attorneys at Law  
600 Old Country Road

Garden City Bistro  
662 Franklin Avenue  
Garden City Deli  
100 Seventh Street  
Garden City Florist  
173 Seventh Street  
Garden City Hotel  
45 Seventh Street  
Garden City Shoe Shop, Inc.  
178 Seventh Street  
Garden City Skin Care Center  
166 Seventh Street  
Gerry Anne's  
Gold Crown Hallmark  
98 Seventh Street  
GiGi's Italian Specialties  
162 Seventh Street  
Hengstenberg's Florist  
735 Franklin Avenue  
H.L. Gross & Bro. Jewelry  
815 Franklin Avenue  
Hoffman's Delicatessen  
180 Seventh Street

Hubbell & Klapper, Inc.  
65 Hilton Avenue  
Jean Marie Patisserie  
150 Seventh Street  
Joseph & Joseph Men's Clothing  
132 Seventh Street  
Key Food MarketPlace  
153 Seventh Street  
Liberty Travel  
736 Franklin Avenue  
Mopak Service Center, Inc.  
Franklin & Seventh Street  
Newport Grill  
176 Seventh Street  
Pay Half  
910 Franklin Avenue  
Printing X-Press  
745 Franklin Avenue

Riesterer's Bakery & Cafe  
96 Seventh Street  
Send A Basket  
180 Seventh Street  
Southampton Blazer &  
Button Co.  
130 Seventh Street  
TCBY  
158 South Street  
Town Meat Market  
157 Seventh Street  
Dr. James N. Trentalange, DDS  
70 Seventh Street  
You-nique Boutique  
181 Seventh Street

Compliments of  
**ROSLYN**  
SAVINGS BANK

**perksCard.com**  
Your one-stop on-line  
shopping guide  
Visit our website to locate  
thousands of merchants  
& professionals that can  
save you \$\$\$ everyday!

Roslyn Savings Bank does not endorse nor warranty the discounts, services and giveaways that the PerksCard™ provides.  
Card Expires August 31, 2003

© Roslyn Savings Bank Branch Locations

Address: <http://www.roslyn.com/contact.asp>

About Us | In Your Community | Roslyn Bancorp | Locations | Online Banking | **PERKS CARD** | **FREE** | **DEALS** | **IDEAS**

**ROSLYN**  
SAVINGS BANK

Quick Jump  
Free Checking!

Online Banking Demo

**Branch Locations**

▼ Branch Locations

- NASSAU
  - Bellmore
  - East Meadow
  - Farmingdale
  - Freeport
  - Garden City
  - Hoboken
  - Lake Success
  - Lawrenceville
  - Massapequa
  - Massapequa Park
  - Merrick
  - New Hyde Park
  - Oceanside
  - Plainville
  - Roslyn
  - Syosset
  - West Hempstead
  - Woodbury
- SUFFOLK
  - Bay Shore
  - East Northport
  - Huntington Station
  - No. Babylon / Deer Park
  - Smithtown
  - St. James
  - West Babylon
- KINGS
  - Bay Ridge
  - Coney Island
  - Flatlands

**Branch Locations**

*We're Conveniently  
Located!*

**24 Hour ATM available  
at most locations\***

\* Coverage not available at Roslyn and Bayshore branches

**What's in a Name?**  
In February of 1999, Roslyn Bancorp completed the acquisition of TR Financial, the parent company of Roosevelt Savings Bank. Roosevelt's history dates back to 1895, when the Bank was incorporated as the Eastern District Savings Bank, on Gates Avenue and Broadway in Brooklyn. In 1920, the Bank's name was changed in honor of the late 26th president, Theodore Roosevelt.

# Home Equity

## Lafayette Ambassador Bank

Easton, Pa. • Assets: \$1 billion

Contact: Valerie Purinton 610-250-2306

Agency: Musselman Advertising, Inc. (Allentown, Pa.)

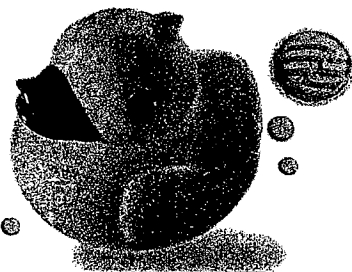
Agency contact: Jamie Musselman 610-435-5102

Objectives: To market home equity loans by showing the results of a loan or line of credit.

Targets: Potential and existing customers

Media: Newspaper, in-branch posters and signs, statement stuffers, direct mail.

Web site: [www.lafambank.com](http://www.lafambank.com)



### Splash splash time for a new bath.

For as low as \$155\* a month  
it won't drain your budget! 🐷

With an \$8,000 affordable loan\* or line of credit\*\* from Lafayette Ambassador Bank, you can rub-a-dub-dub in a brand-new tub! For home improvement, or the cash you need for a family vacation, new car, or debt consolidation, visit the Lafayette Ambassador nearest you.

**5.99%** APR

\*FIXED-RATE HOME EQUITY LOAN

**4.75%** APR

\*\*HOME EQUITY LINE OF CREDIT



610-758-7330  
[www.lafambank.com](http://www.lafambank.com)

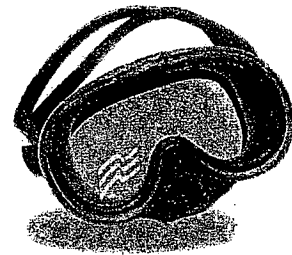
\*5.99% APR (Annual Percentage Rate) available on new fixed rate home equity loans of \$5,000 or more for a 60 month term with payments automatically deducted from a Lafayette Ambassador Bank checking account. Maximum loan amount \$100,000. Minimum loan-to-value ratio 80%.

(Example: If you borrow \$8,000 at 5.99% APR for 60 months, your monthly payment would be \$154.61).

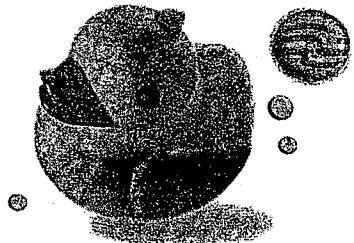
\*\*4.75% APR (Annual Percentage Rate) subject to credit review based on Wall Street Journal Prime Rate published the last business day of previous month. Maximum APR is 18%. Minimum line amount is \$5,000. Homeowner's insurance required. This rate/amount and approval fee required for term over \$100,000.

Offer available to existing home equity loan/line customers, if they increase their loan/line by \$5,000. Rates subject to change and offers may be discontinued at any time. Only for single-family, owner-occupied homes. There are no closing costs, and fees will be waived for borrowers with new money of \$5,000 or more.

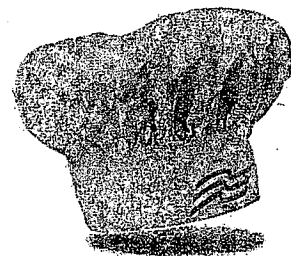
Member FDIC • Equal Opportunity Lender



(Example: If you borrow \$15,000 at 5.99% APR for 60 months, your monthly payment would be \$289.90).



(Example: If you borrow \$8,000 at 5.99% APR for 60 months, your monthly payment would be \$154.61).



(Example: If you borrow \$5,000 at 5.99% APR for 60 months, your monthly payment would be \$90.63).

Lafayette Ambassador Bank  
Attn: Marketing Department  
P.O. Box 25051  
Lehigh Valley, PA 18002-5051

FIRST-CLASS  
U.S. POSTAGE  
PAID  
LEHIGH VALLEY, PA  
PERMIT #54



Seeking a new approach to the biennial promotion of home equity loans and lines of credit, Musselman Advertising proposed this campaign, featuring friendly, fun symbols. Together with the ad text, the images demonstrate the results of a Lafayette loan/line of credit. The advantage of the low monthly payment is carried as a submessage. The creatives for print ads were combined in a five-panel mailer, shown here. (Headlines and ad copy are printed on reverse.)

Your dreams  
cost less than you think...  
A deck...a duck...or a "dive?"  
**You decide!**

# Home Equity



## New deck? Hot dog!

Give the chef a new place to BBQ  
for as low as \$97\* a month.

Nail down \$5,000 for a new deck with an affordable loan\* or line of credit\*\* from Lafayette Ambassador Bank. For home improvement, or the cash you need for a family vacation, new car, or debt consolidation, visit the Lafayette Ambassador nearest you.

**5.99% APR**

\*FIXED-RATE HOME EQUITY LOAN

**4.75% APR**

\*\*HOME EQUITY LINE OF CREDIT



610-758-7330  
www.lafambank.com

\*5.99% APR (Annual Percentage Rate) available on new fixed-rate home equity loans of \$5,000 or more for a 60-month term with payments automatically deducted from a Lafayette Ambassador Bank checking account. Maximum loan amount \$100,000. Maximum loan-to-value ratio 80%. Example: If you borrow \$5,000 at 5.99% APR for 60 months, your monthly payment would be \$96.63.  
\*\*4.75% APR (Annual Percentage Rate) varies monthly based on Wall Street Journal Prime Rate published the first business day of previous month. Maximum APR is 18%. Minimum line amount is \$5,000. Homeowner's insurance required. Title insurance and appraisal fee required for lines over \$100,000.  
Offer available to existing home equity loanline customers. If they increase their loanline by \$5,000.  
Rates subject to change and offers may be discontinued at any time. Only for single-family owner-occupied homes. There are no closing costs, and fees will be waived for loanlines with new money of \$5,000 or more.

Member FDIC • Equal Opportunity Lender



The campaign ran for two months, in April and May, 2002, resulting in a total of \$11,326,964 in new loan and line business—116% of goal. Home loans reached 132% of the goal and new lines of credit achieved 76% of the goal.



## Splish splash time for a new bath.

For as low as \$155\* a month  
it won't drain your budget!

For home improvement, or the cash you need for a family vacation, new car, or debt consolidation, visit the Lafayette Ambassador nearest you.

**5.99% APR**

\*FIXED-RATE HOME EQUITY LOAN

**4.75% APR**

\*\*HOME EQUITY LINE OF CREDIT

\*5.99% APR (Annual Percentage Rate) available on new fixed-rate home equity loans of \$5,000 or more for a 60-month term with payments automatically deducted from a Lafayette Ambassador Bank checking account. Maximum loan amount \$100,000. Maximum loan-to-value ratio 80%. Example: If you borrow \$5,000 at 5.99% APR for 60 months, your monthly payment would be \$154.61.  
\*\*4.75% APR (Annual Percentage Rate) varies monthly based on Wall Street Journal Prime Rate published the first business day of previous month. Maximum APR is 18%. Minimum line amount is \$5,000. Homeowner's insurance required. Title insurance and appraisal fee required for lines over \$100,000.  
Offer available to existing home equity loanline customers. If they increase their loanline by \$5,000. Rates subject to change and offers may be discontinued at any time. Only for single-family owner-occupied homes. There are no closing costs, and fees will be waived for loanlines with new money of \$5,000 or more.

610-758-7330  
www.lafambank.com



Member FDIC • Equal Opportunity Lender



## Dive in. Chill out.

For as low as \$290\* a month you  
can float your cares away!

In-ground swimming pool? Take the plunge—with a \$15,000 affordable loan\* or line of credit\*\* from Lafayette Ambassador Bank. For home improvement, or the cash you need for a family vacation, new car, or debt consolidation, visit the Lafayette Ambassador nearest you.

**5.99% APR**

\*FIXED-RATE HOME EQUITY LOAN

**4.75% APR**

\*\*HOME EQUITY LINE OF CREDIT



610-758-7330  
www.lafambank.com

\*5.99% APR (Annual Percentage Rate) available on new fixed-rate home equity loans of \$5,000 or more for a 60-month term with payments automatically deducted from a Lafayette Ambassador Bank checking account. Maximum loan amount \$100,000. Maximum loan-to-value ratio 80%. Example: If you borrow \$15,000 at 5.99% APR for 60 months, your monthly payment would be \$289.40.  
\*\*4.75% APR (Annual Percentage Rate) varies monthly based on Wall Street Journal Prime Rate published the first business day of previous month. Maximum APR is 18%. Minimum line amount is \$5,000. Homeowner's insurance required. Title insurance and appraisal fee required for lines over \$100,000.  
Offer available to existing home equity loanline customers. If they increase their loanline by \$5,000.  
Rates subject to change and offers may be discontinued at any time. Only for single-family owner-occupied homes. There are no closing costs, and fees will be waived for loanlines with new money of \$5,000 or more.

Member FDIC • Equal Opportunity Lender

# Relationship



## 60-Second Radio Spot

### "Launch/Commute"

**ANNCR:** Let's rewind your life and look at a recent morning.

**SFX:** Tape rewind

**SFX:** Traffic ambience; car horns

**ANNCR:** You're in your car, heading to work. You try to change lanes, but that guy in the big truck doesn't want to let you in. He waves—with part of his hand—and offers some alternative views on your parentage and current occupation.

**SFX:** Muffled angry yelling in traffic ambience

**ANNCR:** Then there's work... but we'll skip that part.

**SFX:** Tape fast forwarding; more traffic ambience

**ANNCR:** Then you sit in more traffic on your way home. Had enough? We thought so.

**SFX:** Traffic ambience stops. Music up, under.

**ANNCR:** We're Compass Bank. And we're on a mission to bring back niceness. That's right. Niceness. When you walk into a Compass branch, we'll welcome you with a smile ... ask how we can help ... and do our best to make you feel appreciated. Like not nickel-and-diming you with extra fees every time you turn around. We figure that if we treat you nicely, maybe you'll spread it around. And pretty soon, when someone says, "Have a nice day"... you'll actually have a nice day.

Compass Bank.

Refreshingly positive.

Member, FDIC. Member, DIF. Equal Housing Lender.

## Compass Bank

New Bedford, Mass. • Assets: \$3 billion

Contact: Sue Nelson 508-984-6105

Agency: Gearon Hoffman (Boston)

Agency contact: Emily Weber 617-247-1522

**Objectives:** To position Compass as the refreshingly positive bank

**Targets:** Southeast Massachusetts, Cape Cod, Martha's Vineyard

**Media:** Newspaper, radio, outdoor, point of purchase

**Web site:** www.compassbank.com



*You're a nice person.  
Shouldn't you  
have a nice bank?*

Hey, if you don't deserve to be treated with a little respect, a little common courtesy, who does? That's how we see it at Compass Bank. We do all we can to deliver the banking products and services you need, without nickel and diming you with fees when you use them. And we try to treat you... well, nicer. With a smile, a friendly greeting, and a free lollipop whenever you come into your local Compass Bank branch.

Our hope is that a nice person like you will take the smile and the friendly greeting you got from us and pass them along to someone else during your day. The lollipop is yours to keep.

compassbank.com  
800-322-9313

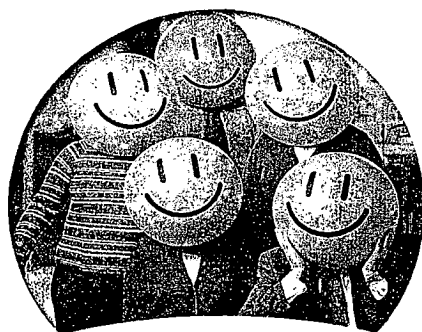
 **Compass Bank**  
Refreshingly Positive

Member FDIC / Member DIF Equal Housing Lender



This is print advertising "with a difference," using the smiley face image to make the point that CompassBank is friendly. The radio spots reinforce the message with a no-holds-barred narrative.

All of Compass Bank's print ads and in-bank promotional material uses the tagline, "Compass Bank. Refreshingly Positive." This campaign has drawn much attention and the next step will be to run product promotions.



***Our mission:  
Bring back niceness.  
(Is that a word?)***

What ever happened to common courtesy? The excuse is that life is so fast-paced now, there's no time to be nice to each other. Well, we at Compass Bank think it's time that changed. And we're doing our part to get the ball rolling.

We'll always welcome you with a smile, ask how we can help, and do our best to make you feel appreciated (like not nickel and diming you with fees every time you turn around). We figure that if we treat people nicely, maybe they'll spread it to other places. And pretty soon, niceness will be the norm, not the exception. Hey, it has to start somewhere. Why not here? Why not now?

compassbank.com  
800-322-9313

 **Compass Bank**  
Refreshingly Positive

Member FDIC Member DIF Equal Housing Lender



## 60-Second Radio Spot

### "Nice Bank"

**ANNCR:** Let's fast forward your life and look at next Saturday morning.

**SFX:** Tape fast forwarding

**SFX:** Outdoor ambience; pedestrian walking, hearing traffic, street, sidewalk sounds.

**ANNCR:** You're running errands—like you do every Saturday morning—and, finally, you're almost done. You just have to run into the bank and cash a check. Glancing at your watch, you see that it's 11:59 a.m.—and your bank closes at noon. You push open the door.

**SFX:** Door opens. Outdoor ambience changes to indoor sounds of bank: murmuring voices, teller window bongs, feet on marble floor. Then all movement stops—only room tone remains.

**ANNCR:** You feel the tellers' stares burning holes in you. So you back out the door ...

**SFX:** Door opens out on to street, outdoor ambience.

**ANNCR:** ... and give up.

**SFX:** Outdoor ambience ends. Music up, under.

**ANNCR:** Think you deserve to be treated better than that? We think so, too. We're Compass Bank. Here, you're appreciated—and it shows. You'll get a smile, a friendly greeting, and a lollipop whenever you walk into one of our branches. From free checking to business loans, we've got all the services you could need. And we don't nickel-and-dime you with hidden fees when you use them. Hey, you're a nice person.

We think it's time you were treated that way.

Compass Bank.

Refreshingly positive.

Member, FDIC. Member, DIF. Equal Housing Lender.



# Credit Union

## FSFCU Federal Credit Union

Ft. Sill, Okla.

Contact: Karla Korhonen 580-250-8144

## Lawton Teachers Federal Credit Union

Lawton, Okla.

Contact: Bill Buehne 580-353-0490, Ext. 129

## Commanche County Federal Credit Union

Lawton, Okla.

Contact: Donna Whittaker 580-353-3755

Agency: DesignWorks Group (Wichita Falls, Texas)

Agency Contact: Craig Draper 940-696-1229

**Objectives:** To provide a city-wide car sale in partnership with the Lawton Area Dealers Association and three area credit unions.

**Targets:** Credit union members

**Media:** Television, radio, banners, table tents, posters, car mirror hangers at car dealerships



## 60-Second Radio Spot

### "Driven"

ANNCR: It is an inescapable feeling ...  
A feeling that cannot be denied ...  
It becomes part of who you are,  
It's the car that you drive.

To find the perfect match, you must be DRIVEN!

DRIVEN! A car sale unlike any other!  
October 16th through 19th, select, activated dealerships will form an alliance with three Lawton credit unions to deliver a car sale beyond reason. Activated participants include Aubrey Chevrolet, Billingsley Ford of Lawton, Dan Mullins Nissan, Fiesta Toyota, Lawson Autoplex, Milo Gordon Automall in conjunction with FSFCU Community Credit Union, Commanche County Federal Credit Union and Lawton Teachers Federal Credit Union.

For a limited time experience special interest rates and discounts that are unreal!

Don't miss DRIVEN! ... the car sale that defies reality.

**Participating Dealerships:**

- Aubrey Chevrolet
- Billingsley Ford of Lawton
- Commanche County Federal Credit Union
- DesignWorks Group
- Fiesta Toyota
- Lawson Autoplex
- Milo Gordon Automall
- Nissan
- Toyota

**Participating Credit Unions:**

- Commanche County Federal Credit Union
- Lawton Teachers Federal Credit Union
- FSFCU Community Credit Union

**OCTOBER 16 - 19, 2002**



"It's an inescapable feeling, a feeling that can't be denied. It becomes part of who you are. It's the car that you drive. To find the perfect match, you must be driven."

Those are the words used in the four-day October 2002 Driven campaign that helped members of the Lawton Area Dealers Association (LADA) do a record number of sales during the promotion. The campaign was the first of its kind in Lawton, Okla., where the LADA teamed up with three Lawton area credit unions.

Partnering with the credit unions that offered special interest rates and discounts made it easier for buyers to finance their purchases, according to Karla Korhonen of the FSFCU Federal Credit Union. "We did quite a few loans during the promotion. The campaign was very successful," she said.

## DRIVEN

*the car sale that defies reality*

AN EXPERIENCE THAT WILL CHANGE THE WAY YOU LOOK AT BUYING A NEW CAR  
**4.9% APR ON ALL MODELS 1999-2003\***

NO PAYMENTS UNTIL JANUARY 2003. VISIT YOUR CREDIT UNION TODAY & GET PRE-APPROVED.

CREDIT UNION LOAN OFFICERS WILL BE AVAILABLE IN THEIR LAWTON OFFICES

EVERY DAY INCLUDING SATURDAY, OCTOBER 19, 2002.

\*No extra deduction for automatic payment available on this rate. Payment restrictions may apply and all loans are subject to approval.

# Credit Union



**DRIVEN**

the car sale that defies reality

OCTOBER 16 - 19, 2002

**DRIVEN**

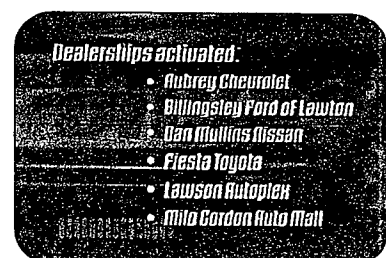
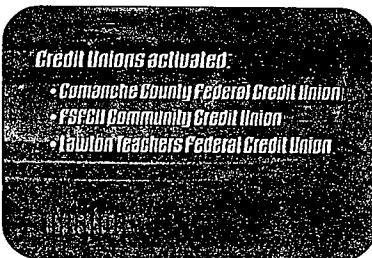
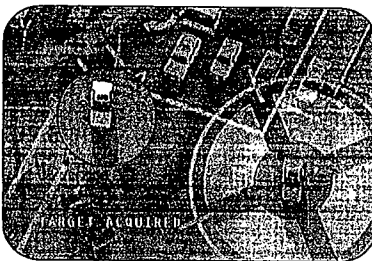
the car sale that defies reality



An experience that will change the way you look at buying a car.



Banners and car mirror hangers, above, supported the television spot for the Driven campaign conducted by the Lawton, Okla., Area Dealers Association and three regional credit unions. The TV spot morphed the face, eyes, nose and forehead of a man into the headlights and bumper of a car. The television and radio spots used a high-energy and futuristic music score to deliver the message to buyers that this was a car sale that defied reality.



# Credit Union

## Nechako Valley Credit Union

Vanderhoof, B.C. • Assets: \$3 million

Contact: Ken Dickson 250-567-4737

Agency: Wayne McKay & Associates Ltd. (North Vancouver, B.C., Canada)

Agency Contact: Wayne McKay 604-988-5858

**Objectives:** To introduce the "legacy deposit" program, in which 1% of proceeds will be donated to community causes.

**Targets:** Area residents

**Media:** Newspaper, radio, outdoor, statement stuffers

**Web site:** www.nvcu.com



In this campaign to sell GICs, the Nechako Valley Credit Union offers to donate to local charities 1% of the net funds deposited. Over a five month period, print ads cycled in local newspapers. The two on this page show credit union personnel and hospital officials working together to raise money for renovations to the Palliative Care Ward of Stuart Lake Hospital in Fort St. James.



## 30-Second Radio Spots

### "Number Two"

**ANNCR:** Leaving a legacy is something most of us dream about. Now you can turn your dreams into reality when you participate in the Community Legacy campaign at Nechako Valley Credit Union. When you make a new deposit, for as little as \$1,000, for 1, 2, 3, 4, or 5-year terms, the credit union will donate 1% of the amount to community projects including housing for seniors and health care. Call for full details. Nechako Valley Credit Union ... everything we do, we do for you.

### "Number Five"

**ANNCR:** At Nechako Valley Credit Union, we believe in giving back to our community and that's why we've introduced Legacy Deposits. We will donate 1% of all new monies raised in our Legacy program to community projects. For example, the Auxiliary of the Stuart Lake Hospital is working on renovations to its Palliative Care Ward and will be receiving assistance from us. To learn more about how you can leave a legacy, call or visit your nearest branch. Nechako Valley Credit Union ... everything we do, we do for you.

Invest in yourself.  
Invest in your community.



*Smiles all around at Sherril Nielsen, treasurer of the Auxiliary to Stuart Lake Hospital, Fort St. James Branch Manager John Turner, and General Manager Ken Dickson pose with Mickey in the hallway outside the Palliative Care Ward in the hospital. Proceeds from this campaign will be shared with the Auxiliary to help fund the renovations in the ward.*

## Introducing Community Legacy Deposits



Now you can invest for your future and improve the community at the same time. When you take out a 1, 2, 3, 4 or 5 year GIC, we not only pay you an interest rate guaranteed for the full term, but 1%\* of the amount will be donated for community projects such as seniors housing and health care. The minimum amount is \$1000 and the deposits are available outside or within your RRSP. Call or visit our closest branch for complete details, and help build a lasting legacy.

Help us reach our goal!



Vanderhoof  
186 West Columbia Street  
Phone: 567-4737  
Fax: 567-2493

Nechako Valley  
Credit Union

Everything we do,  
we do for YOU

Fort St. James  
602 West Stuart Drive  
Phone 996-8667  
Fax: 996-8119

\*The 1% is based on net new funds deposited at the credit union

www.nvcu.com

Invest in yourself.  
Invest in your community.



*Branch Manager John Turner and General Manager Ken Dickson pose by the sign at the entrance to Stuart Lake Hospital, which will be one of the beneficiaries of funding from this campaign. Proceeds will be used for renovations to the Palliative Care Ward.*

## Introducing Community Legacy Deposits



Now you can invest for your future and improve the community at the same time. When you take out a 1, 2, 3, 4 or 5 year GIC, we not only pay you an interest rate guaranteed for the full term, but 1%\* of the amount will be donated for community projects such as seniors housing and health care. The minimum amount is \$1000 and the deposits are available outside or within your RRSP. Call or visit our closest branch for complete details, and help build a lasting legacy.

Help us reach our goal!



Vanderhoof  
186 West Columbia Street  
Phone: 567-4737  
Fax: 567-2493

Nechako Valley  
Credit Union

Everything we do,  
we do for YOU

Fort St. James  
602 West Stuart Drive  
Phone 996-8667  
Fax: 996-8119

\*The 1% is based on net new funds deposited at the credit union.

www.nvcu.com

Invest in yourself.  
Invest in your community.



Project leader Art Flaterud and senior management group of Nechako Valley Credit Union pose outside the Nechako View Senior Citizens Home. Funding for six new duplexes will be raised through community donations including part proceeds of this campaign. Pictured left to right - Art Flaterud, Bonnie Lewis, Audrey Carlson, Janice Van Dalah, Sharon Duvell and Ken Dickson.

## Introducing Community Legacy Deposits



Now you can invest for your future and improve the community at the same time. When you take out a 1, 2, 3, 4 or 5 year GIC, we not only pay you an interest rate guaranteed for the full term, but 1%\* of the amount will be donated for community projects such as seniors housing and health care. The minimum amount is \$1000 and the deposits are available outside or within your RRSP. Call or visit our closest branch for complete details, and help build a lasting legacy.

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602 West Stuart Drive  
Phone 996-8667  
Fax: 996-8119

\* The 1% is based on net new funds deposited at the credit union

[www.nvcu.com](http://www.nvcu.com)

This campaign was promoted with eight different radio spots as well as print ads. The ads on this page depict the Nechako View Senior Citizens Home, at which six new duplexes will be funded in part by the credit union campaign. Also, large graphics of thermometers were posted outside each of the credit union's two branches to record progress toward the fundraising goal.

Invest in yourself.  
Invest in your community.



Project leader, community activist and long time member Art Flaterud extends his thanks to General Manager Ken Dickson in appreciation of the credit union's funding assistance with the construction of six new duplexes at Nechako View Senior's Home.

## Introducing Community Legacy Deposits



Now you can invest for your future and improve the community at the same time. When you take out a 1, 2, 3, 4 or 5 year GIC, we not only pay you an interest rate guaranteed for the full term, but 1%\* of the amount will be donated for community projects such as seniors housing and health care. The minimum amount is \$1000 and the deposits are available outside or within your RRSP. Call or visit our closest branch for complete details, and help build a lasting legacy.

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## 30-Second Radio Spots

### "Number Eight"

**1ST ANNCR:** Have you noticed the giant thermometers outside the credit union branch?

**2ND ANNCR:** Yeah. Do they think we need to be reminded of the temperature?

**1ST ANNCR:** No, silly, it's their way of keeping the community informed about the progress of the Legacy program.

**2ND ANNCR:** Oh yeah! I bought one of those term deposits and they told me that 1% would be donated to a community project.

**1ST ANNCR:** So did I. Let's take out another one and help them reach their goal of \$3 million.

**2ND ANNCR:** Great idea.

**VOICEOVER:** Help build a lasting legacy. Call or visit for complete details.

### "Number seven"

**FEMALE ANNCR:** Want to do something for your community ... and me?

**MALE ANNCR:** Sure, what?

**FEMALE ANNCR:** Take out a term deposit from Nechako Valley Credit Union for one to five years.

**MALE ANNCR:** What's the catch?

**FEMALE ANNCR:** The "catch" is the credit union will donate 1% of all new deposits to a local community project.

**MALE ANNCR:** Such as?

**FEMALE ANNCR:** The Nechako View Seniors Home and the Stuart Lake Hospital Palliative Care Ward.

**MALE ANNCR:** Sounds great, but where do you fit in this equation?

**FEMALE ANNCR:** Make the deposit in my name.

**VOICEOVER:** Help build a lasting legacy. Call or visit our nearest branch for complete details.

# Credit Union

## Creston & District Credit Union

Creston, B.C., Canada • Assets: \$61 million

Contact: Jim Miller 250-428-5351

Agency: Wayne McKay & Associates Ltd. (North

Vancouver, B.C., Canada

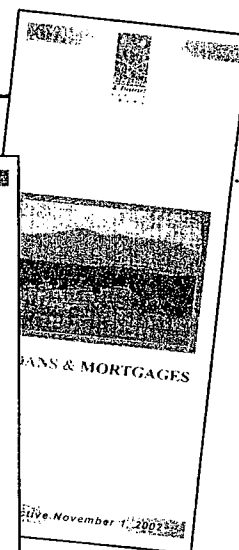
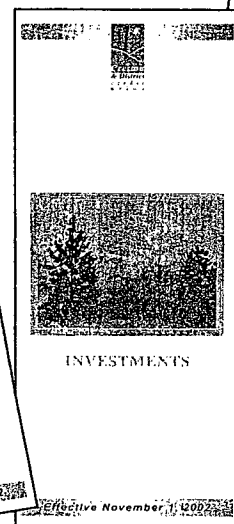
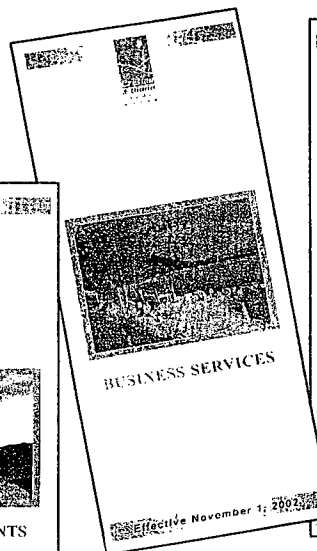
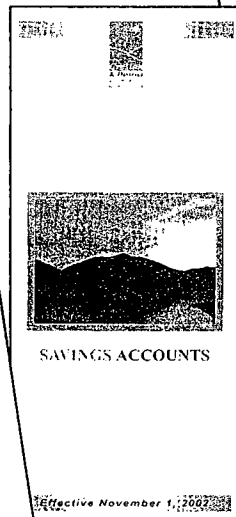
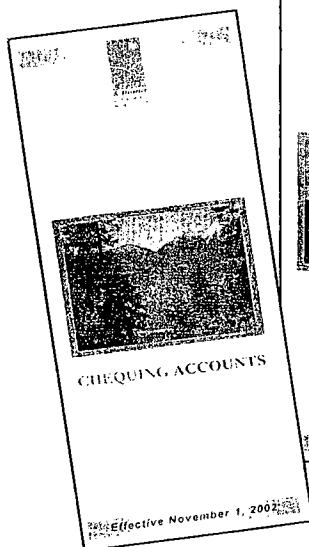
Agency Contact: Wayne McKay 604-88-5855

**Objectives:** To introduce changes to account structure and revised service charges

**Targets:** Residents of area

**Media:** Point of service

**Web site:** www.cdcu.com



This series of product brochures boasts digital photographs of British Columbia's Creston Valley. They update the previous in-house handouts, which featured photographs of customers.

**RRSP**

**INTRODUCING PREMIUM TERM DEPOSITS**

Just as the credit union places great value on premium service, so, too, does it offer premium products and premium rates. For a limited time, up to the end of the RRSP season on March 3, 2003, you can take advantage of our Premium Term Deposit:

- ☐ Three year locked in term
- ☐ Competitive interest rate
- ☐ Annual compounding
- ☐ Minimum deposit = \$500.00
- ☐ Also available as non-registered deposits – minimum \$1000.00

Make your RRSP contribution now and start earning an attractive return immediately. It also makes a great investment outside your RRSP. Call or visit our branch and speak to one of our friendly service representatives.

*People before profits*

Grand Forks District Savings Credit Union, 447 Market Avenue, Tel: 442-5511

**PARTNERS IN YOUR COMMUNITY**

## Grand Forks District Savings Credit Union

Grand Forks, B.C., Canada • Assets: \$150 million

Contact: Cathy Manson 250-442-5511

Agency: Wayne McKay & Associates Ltd. (North Vancouver, B.C., Canada)

Agency Contact: Wayne McKay 604-988-5855

**Objectives:** An early kick-off for the registered retirement savings campaign.

**Targets:** Residents of area

**Media:** Newspaper, point of purchase

**Web site:** www.gfdscu.com



## Credit Union

### Municipal Credit Union

New York • Assets: \$1 billion

Contact: Steve Kibitel 212-238-3354

Agency: Austin & Williams (Hauppauge, N.Y.)

Agency Contact: Rick Chiorando 631-231-6600 Ext. 180

Objectives: To promote automobile loans and home equity lines of credit.

Targets: Existing customer base

Media: Newspaper, in-house posters

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# Submission Form

DEADLINE for each month is the first of the preceding month.

*Financial Advertising Review* welcomes submissions from banks, savings & loans, credit unions and other financial institutions across North America. All campaign elements are accepted, including but not limited to newspaper, radio, television, outdoor, point of purchase, flyers, direct mail, statement stuffers and lobby signage. *We charge no fee for inclusion in our monthly publication*, which reaches marketing directors, ad agencies and bank executives everywhere in the United States and Canada.

Especially innovative or thorough campaigns may be included in our Ad Talk or Features Gallery along with an article highlighting the details of the campaign's creation, goals and results. Campaigns may be gigantic and nationwide in scope or local programs created for pennies. We're looking for advertisements that are dynamic, well-executed and effective. Feel free to tear out or photocopy this form, and send in your submissions today!

**Ad Headline:** \_\_\_\_\_

Date submitted: \_\_\_\_\_

Subject: \_\_\_\_\_

Contact @ Bank/S&L/CU: \_\_\_\_\_

Name of Institution: \_\_\_\_\_

Address (street, city, state, ZIP): \_\_\_\_\_

Phone number: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Most current asset figure: \_\_\_\_\_

Web site: \_\_\_\_\_

**Agency:** \_\_\_\_\_

Address (street, city, state, ZIP): \_\_\_\_\_

Phone number: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_

Contact: \_\_\_\_\_

**Objectives of the ad/campaign – Competitive situation or strategy:** \_\_\_\_\_

\_\_\_\_\_

**Target(s) of this ad:** \_\_\_\_\_

## Media used:

☐ Newspaper

☐ TV

☐ Point of Purchase

☐ Magazine

☐ Radio

☐ Statement Stuffers

☐ Direct Mail

☐ Outdoor

Other: \_\_\_\_\_

Duration of campaign: \_\_\_\_\_

**Results (# of new accounts, calls tracked, comments from consumers, etc.):** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Fax: 303-290-9025**

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**Tom Rees, *Financial Advertising Review*, 11211 E. Arapahoe Road, Suite 101, Centennial, CO 80112-3851**

**Phone: 303-967-0109 Fax: 303-290-9025 E-mail: Tom.Rees@businessword.com**

# Market Notes

## Holiday greetings reap \$30 million for U.S. Bank

U.S. Bank, Minneapolis, contacted 183,235 customers or potential customers Dec. 12, wishing them happy holidays, thanking them for their business and netting more than \$30 million worth of new business.

The U.S. Bancorp "business blitz" covered major metro markets and small towns across the organization's 24 state geographic footprint. Participants in the one day calling effort included representatives of many divisions, including middle market and large corporate banking divisions, commercial banking, treasury management, trust, and small business banking. According to the bank's Dec. 20 news release, callers more than doubled their goal of 80,000 calls, completing 183,235 sales calls. These included nearly 80,000 sales calls by the consumer banking division, 68,156 sales calls by the combined metro and community banking branch representatives, 8,648 sales calls by private client group and asset management division and 8,508 sales calls by middle market and large corporate calling officers.

## Citizens Bank donation to help a distressed area

Citizens Bank of Pennsylvania, headquartered in Pittsburgh, will award a \$2.5 million grant to Wilkinsburg, Pa.-based Hosanna House, pending approval of its application to The Pennsylvania Department of Community and Economic Development. The grant will assist the organization to expand its services, which include youth services, family support, addiction recovery support, and job training. Wilbur Young, mayor of the distressed Wilkinsburg community, said, "The Hosanna House turns...despair into hope for more than 25,000 people every year..." The grant will be paid out over a period of 10 years. Citizens Bank, committed to additional supportive efforts, also will donate computers to Hosanna House and provide community workshops about banking.

## Seattle credit union adopts quality name

Seattle Telco, one of the largest credit unions in Washington state, changed its name to Watermark Credit Union, effective Jan. 1. The new name was developed with the help of Weber Marketing Group and James Clark Design Images, both based in Seattle. A watermark is a handcrafted signature used to mark paper or documents of very high quality. The word also is related to computer security and was chosen to appeal to consumers affiliated with Puget Sound's more than 1,000 technology and service companies. The credit union was formed in 1938, to be used by employees of Pacific Telephone and Telegraph. Today, membership is open to anyone in the state.

## Alaska Bank invites photographic contributions

Northrim Bank, Fairbanks, Alaska, invited customers to submit their favorite "Great Alaska Photos" to appear on the bank's Web site, [www.nrim.com](http://www.nrim.com). Selected photos will appear on the home page for two to four weeks, and winners also will receive coffee mugs designed by Alaska artist Carolee Pollock.

## Seattle welcomes WaMu's hunger for office space

Washington Mutual (WaMu), based in Seattle, has been "a savior for the landlords in Seattle," according to a realtor quoted recently in an article in *Seattle Times*. The article said that since the beginning of 2000, the bank has doubled the space it leases in 17 buildings in downtown Seattle and outlying markets. Not counting its branches, the bank occupies about 1.7 million square feet of office space in the Puget Sound region. The article described that space as "enough to fill Seattle's tallest skyscraper, the Bank of America Tower, and then some." (Irony intended?) In the past two years, WaMu increased its work force in the Seattle area to 6,800 from 4,300. Also, it has doubled its staff nationwide. ■

# Agency Index

Many thanks to those whose efforts make this publication possible. We list the names of the advertising agencies that create the ads chosen for each issue. When no agency name is listed, the work has been done in-house. If a miscredit appears, please let us know as soon as possible so we can correct any errors quickly.

Austin & Williams (Hauppauge, N.Y.) . . . . .	14-15, 16-19, 29	Luquire George Andrews Inc. (Charlotte, N.C.) . . . . .	10-13
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Gearon Hoffman (Boston) . . . . .	22-23	Wayne McKay & Associates Ltd. (North Vancouver, B.C.) . . . . .	26-27, 28,

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FCFCU Federal Credit Union (Ft. Sill, Okla.) . . . . .	24-25	Provident Bank (Montebello, N.Y.) . . . . .	14-15
Grand Forks District Savings Credit Union (Grand Forks, B.C.) . . . . .	28	Roslyn Savings Bank (Jericho, N.Y.) . . . . .	16-19
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		Young Americans Bank (Denver) . . . . .	1, 3-9



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Title \_\_\_\_\_

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Address \_\_\_\_\_

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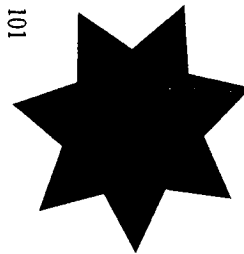
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October 14, 2010 Other news in Buffalo, New York, United States of America

135

PerksCard Network Named New York State Cooperative and Experiential Education Association Employer of the Year

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Buffalo, New York, United States of America  
 (Free-Press-Release.com) October 14, 2010 --  
 PerksCard Network, an Augeo Affinity Marketing company and premier loyalty savings and discount network, has been awarded the New York State Cooperative and Experiential Education Association Employer of the Year (NYSCEEA).

The NYSCEEA award, given out annually, recognizes outstanding contributions and accomplishments in the field of cooperative and/or experiential education. Each year only one employer is selected. Some recent past winners

include Enterprise, Big Brother/Big Sister, Pall Corporation, and McGladrey, McGladrey and Pullen.

PerksCard is being recognized for its support of the students at Suffolk Community College. PerksCard employees have long served as advisory committee members to the College, conducting mock interviews, appearing on employer panels, participating in career and internship fairs, and partaking in formal reviews of students' resumes during their Resume Challenge. In addition, PerksCard employs many Suffolk Community College interns and involve them in the vast array of day-to-day activities, from answering customer service calls, to responding to prospects through email, to managing direct mail campaigns, to assisting with production and aiding in the creative and graphic design of promotional materials. Chris DiRusso, Vice President of Operations at PerksCard, says, "One of the most gratifying parts of working with the students is watching them learn so much. And we love to see the drive they have in getting prepared for graduation and finding the career paths that are right for them."

PerksCard will receive a recognition plaque and officially be awarded the NYSCEEA Employer of the Year at the annual NYSCEEA Conference held from October 17 - 19, 2010.

**About PerksCard Network:**

Founded in 1988, PerksCard Network is an employee benefit savings program that human resources and benefits departments, associations and other organizations can offer to their employees and members. PerksCard cardholders are offered a one-stop shopping experience, allowing them to view and shop for products and services available exclusively to them from local merchants in their communities, as well as from many of today's most popular national brands. Additional perks include special promotions through featured partners, an online mall that provides vast number of businesses and categories for employees and members to choose from, and a full menu of voluntary benefits, insurance, rewards, points and lifestyle discounts. PerksCard was acquired by Augeo in 2008.

For more information about PerksCard Network, visit: [www.perkscard.com](#)

About Augeo Affinity Marketing:

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<a href="#">Bangalore</a>	<a href="#">Mumbai</a>
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<a href="#">Bhopal</a>	<a href="#">Gurgaon</a>
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Augeo is organized into 4 business units including 1) Augeo Incent for employee recognition and incentive programs, 2) Augeo Loyalty for Customer points and rewards programs, 3) PerksCard for discount partner networks, and 4) Augeo Benefits for insurance and voluntary benefit programs.

For more information about Augeo Affinity Marketing, visit [www.augeomarketing.com](http://www.augeomarketing.com)

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#### Contact Information

**Name:** Kevin Perks  
**Company:** PerksGroup  
**Telephone:** 631-941-4613  
**Email:** \*\*\*@gmail.com%20

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#### International Education Fair-Italy

**When:** 2010.12.02-2010.12.03  
**Where:** Vicenza, Italy  
**Industry:** Business Services

#### International Education Fair-Estonia

**When:** 2010.12.02-2010.12.04  
**Where:** Tallinn, Estonia  
**Industry:** Business Services

#### Youth Information Fair Teeviit

**When:** 2010.12.02-2010.12.04  
**Where:** Tallinn, Estonia  
**Industry:** Business Services



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## PerksCard Network Named New York State Cooperative and Experiential Education Association

PerksCard Network Named New York State Cooperative and Experiential Education Association Employer of the Year

## FOR IMMEDIATE RELEASE

PRLog (Press Release) – Oct 14, 2010 – PerksCard Network, an Auggeo Affinity Marketing company and premier loyalty savings and discount network, has been awarded the New York State Cooperative and Experiential Education Association Employer of the Year (NYSCEEA).

The NYSCEEA award, given out annually, recognizes outstanding contributions and accomplishments in the field of cooperative and/or experiential education. Each year only one employer is selected. Some recent past winners include Enterprise, Big Brother/Big Sister, Pail Corporation, and McGladrey, McGladrey and Pullen.

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PerksCard is being recognized for its support of the students at Suffolk Community College. PerksCard employees have long served as advisory committee members to the College, conducting mock interviews, appearing on employer panels, participating in career and internship fairs, and partaking in formal reviews of students' resumes during their Resume Challenge. In addition, PerksCard employs many Suffolk Community College interns and involve them in the vast array of day-to-day activities, from answering customer service calls, to responding to prospects through email, to managing direct mail campaigns, to assisting with production and aiding in the creative and graphic design of promotional materials. Chris DiRusso, Vice President of Operations at PerksCard, says, "One of the most gratifying parts of working with the students is watching them learn so much. And we love to see the drive they have in getting prepared for graduation and finding the career paths that are right for them."

PerksCard will receive a recognition plaque and officially be awarded the NYSCEEA Employer of the Year at the annual NYSCEEA Conference held from October 17 - 19, 2010.

## About PerksCard Network:

Founded in 1988, PerksCard Network is an employee benefit savings program that human resources and benefits departments, associations and other organizations can offer to their employees and members. PerksCard cardholders are offered a one-stop shopping experience, allowing them to view and shop for products and services available exclusively to them from local merchants in their communities, as well as from many of today's most popular national brands. Additional perks include special promotions through featured partners, an online mall that provides vast number of businesses and categories for employees and members to choose from, and a full menu of voluntary benefits, insurance, rewards, points and lifestyle discounts. PerksCard was acquired by Auggeo in 2008.

For more information about PerksCard Network, visit: [www.perkscard.com](http://www.perkscard.com)

## About Auggeo Affinity Marketing:

Founded in 1998, Auggeo is a diverse loyalty marketing company that works with clients to attract and retain their customers, members and employees through incentive and recognition programs, customized points/rewards programs, savings networks and insurance/voluntary benefits solutions. With proven expertise in program design, technology, database design, marketing, operations and vendor acquisition/management, Auggeo provides customizable and flexible programs that are tailored and managed to deliver specific results based on each client's business objectives.

Auggeo is organized into 4 business units including 1) Auggeo Incent for employee recognition and incentive programs, 2) Auggeo Loyalty for Customer points and rewards programs, 3) PerksCard for discount partner networks, and 4) Auggeo Benefits for insurance and voluntary benefit programs.

For more information about Auggeo Affinity Marketing, visit [www.auggeomarketing.com](http://www.auggeomarketing.com)

--- end ---

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Contact Email : [Kevin.Perks@gmail.com](mailto:Kevin.Perks@gmail.com)

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August 7, 2010

**SECTION:** EXPANDED REPORTING; Pg. 67

**LENGTH:** 753 words

**HEADLINE:** THEUFORCE.COM;  
New Group Buying Website TheUForce.com Goes Live

**BODY:**

Introducing TheUForce.com, a new group buying marketplace that harnesses the power of social media to allow consumers to join together and demand the best value for products and services. The site, which has just launched, is backed by the power of more than five million buyers poised and ready to make deals online.

Like Groupon or Living Social, TheUForce.com enables consumers to group together to get discounts on products and services. But unlike those sites, TheUForce.com allows consumers to buy what they already know they want. Rather than waiting for deals to come to them, members of TheUForce.com create buying missions that specify products or services they wish to buy, then band together with other buyers to force personalized group deals on the site.

National brands in categories like travel, wireless, computer hardware, eye care, floral gift, diet plans and financial services -- including Travelocity, WireFly, Lenovo and AC Lens -- make group offers to provide the requested product or service at a price that reflects that buying power. Other seller categories will include home services, car sales and services, pet products and services, and home improvement, with more being added daily.

TheUForce.com, supported by an advisory board including C-level executives from Best Buy, eBay, Harris Interactive and Experian, first came on the scene in February 2010 to recruit members interested in finding deals. In May, the company entered an agreement with Augeo Affinity Marketing, St. Paul, Minn., to reach more buyers. That deal instantly added more than five million consumers to TheUForce.com member base by partnering with Augeo's PerksCard platform, used by companies like Starbucks, Home Depot, Nascar and Pepsi as an employee benefit program.

TheUForce.com model offers sellers compelling economic benefits as well, including lower marketing costs, improved promotion conversion and promotional response speed. "We lower marketing costs for sellers because we already have members who have specific wants," says Andrew Atkin, founder and CEO, TheUForce.com. "There's no need for companies to advertise to find that needle in a haystack -- they can turn right to TheUForce.com and find consumers ready to buy."

Sellers are anxious to tap into this new marketplace. "The ability to attract an active audience of shoppers engaged

THEUFORCE.COM; New Group Buying Website TheUForce.com Goes Live Business & Finance Week August 7, 2010

in the buying process was a key factor in our decision to work with TheUForce.com," says Robert Drumm, marketing manager, AC Lens, the full-service, direct delivery contact lens supply company.

"Lenovo is partnering with TheUForce.com to deliver special product and service offers right to the millions of members who are interested and looking to buy," says Darryl Bryan, Affinity Program Manager, Lenovo, a computer and technology product and service company. "That means we can reduce marketing costs and move inventory more quickly -- and we reach an audience that is receptive to our offers."

In China, group buying, or tuangou, is a hot shopping trend. At a Chinese site like Qeeka.com, shoppers join a group looking for a deal, and are then sent to a retailer at a particular time to negotiate in-person, en masse. TheUForce.com improves on this model by taking it online, aggregating member needs and facilitating negotiations between the buying group and a retailer or service provider.

"Examples of current offers on TheUForce.com include 20-100 dollars off the lowest guaranteed hotel prices through our travel provider and five percent off the price for a leading manufacturer's laptops and other computers," says Atkin. "That's better savings than most consumers can find just searching online on their own."

TheUForce.com, the world's first social marketplace, is a Minnesota-based company led by Andrew Atkin, a senior executive with 23 years of experience starting and re-starting companies. Atkin founded ClickIQ, an industry-leading market research technology platform that has been adopted by national brands like Best Buy, Gateway, Pizza Hut and Johnson & Johnson. Anyone can create a personal MarketPlace in a five-minute, four-step process by visiting [www.TheUForce.com](http://www.TheUForce.com) and registering to become a member. You may also follow us @theuforce, find us on Facebook at UForce, and read our blog at <http://themarketplaceproject.wordpress.com/>.

Keywords: Advertising, Marketing, TheUForce.com. This article was prepared by Business & Finance Week editors from staff and other reports. Copyright 2010, Business & Finance Week via VerticalNews.com.

**LOAD-DATE:** July 28, 2010

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August 7, 2010

**SECTION:** EXPANDED REPORTING; Pg. 137

**LENGTH:** 752 words

**HEADLINE:** THEUFORCE.COM;  
New Group Buying Website TheUForce.com Goes Live

**BODY:**

Introducing TheUForce.com, a new group buying marketplace that harnesses the power of social media to allow consumers to join together and demand the best value for products and services. The site, which has just launched, is backed by the power of more than five million buyers poised and ready to make deals online.

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April 28, 2010 Wednesday 3:55 PM EST

LENGTH: 501 words

HEADLINE: PerksCard Announces New Q1 Clients and Over 200,000 New Cardholders

DATELINE: ST. PAUL, Minn., April 28

BODY:

ST. PAUL, Minn., April 28 /PRNewswire/ -- PerksCard Network, an Augeo Affinity Marketing company, launched 15 new programs for clients and distributed over 200,000 new PerksCards in Q1. The new clients represent various verticals including government, healthcare, education, entertainment, insurance and manufacturing. PerksCard is a premier lifestyle discount program that can be offered to employees, members and other consumers, saving them money on products and services they use every day in the communities where they live, and through online purchases.

"We are very excited to launch so many new PerksCard programs in Q1 and will be working to bring on the local merchants that will be part of each program," commented Bob Dow, President of PerksGroup. "This is a win-win for employees and members of participating organizations and local area merchants. The employees and members will receive real savings/access and the merchants will receive increased traffic, marketing and a way to promote special offers."

About PerksCard Network:

Founded in 1988, PerksCard Network is a savings and discount program that employers, associations and other organizations can offer to their employees and members. PerksCard cardholders are offered a one-stop shopping experience, allowing them to view and shop for products and services available exclusively to them from local merchants in their communities, as well as from many of today's most popular national brands. Additional benefits include special promotions through featured partners, an online mall that provides vast number of businesses and categories for employees and members to choose from, and a full menu of voluntary benefits, insurance, rewards, points and lifestyle discounts. PerksCard was acquired by Augeo in 2008.

For more information about PerksCard Network, visit: [www.perkscard.com](http://www.perkscard.com)

About Augeo Affinity Marketing:

Founded in 1998, Augeo is a diverse loyalty marketing company that works with clients to attract and retain their customers, members and employees through incentive and recognition programs, customized points/rewards programs, savings networks and insurance/voluntary benefits solutions. With proven expertise in program design, technology,



PerksCard Announces New Q1 Clients and Over 200,000 New Cardholders PR Newswire April 28, 2010 Wednesday  
3:55 PM EST

database design, marketing, operations and vendor acquisition/management, Augeo provides customizable and flexible programs that are tailored and managed to deliver specific results based on each client's business objectives.

Augeo is organized into 4 business units including 1) Augeo Incent for employee recognition and incentive programs, 2) Augeo Loyalty for Customer points and rewards programs, 3) **PerksCard** for discount partner networks, and 4) Augeo Benefits for insurance and voluntary benefit programs.

For more information about Augeo Affinity Marketing, visit [www.augeomarketing.com](http://www.augeomarketing.com)

SOURCE **PerksCard Network**

CONTACT: Bob Dow, President of PerksGroup, +1-631-941-4613, [bobdow@perkscard.com](mailto:bobdow@perkscard.com); or Marissa Kristal of Augeo Affinity Marketing, +1-651-204-5754, [mkristal@augeomarketing.com](mailto:mkristal@augeomarketing.com)

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March 24, 2010 Wednesday

LENGTH: 454 words

HEADLINE: United States : **PerksCard Network** Launches New Website Platform Promoting Loyalty, Savings and Discounts

BYLINE: sapna03

BODY:

**PerksCard Network**, a premier loyalty savings and discount network, announces the launch of a new website and program platform.

The **PerksCard** program is a lifestyle discount and saving program enabling industry leaders to attract and retain their customers, members and employees. Through its customizable platform, **PerksCard** provides individuals with access to discounts and savings on products and services they use every day in their communities and online.

The new program platform offers enhanced tracking, reporting and marketing capabilities, and the new **PerksCard Network** website ([www.perkscard.com](http://www.perkscard.com)) provides users a more efficient and seamless experience so they can quickly search for local merchant discounts, featured offers, online mall offers, and insurance/voluntary benefits.

Highlights of the **PerksCard Network** include: Local Merchant Discounts - **PerksCard** makes it easy for cardholders to locate discounted products and services from local merchants in the communities where they live.

Featured Partners - **PerksCard** participants receive further discounts and special promotions through a network of Featured Partners, made up of national retailers and service organizations, which offer individuals unique savings and discounts.

Online Mall - Participants can search and compare prices through access to **PerksCard Network's** Online Mall.

Purchases are securely made using a major credit card, and the Online Mall provides a vast amount of businesses and categories for individuals to choose from.

Insurance/Voluntary Benefits - An added value of being part of the **PerksCard Network** is the opportunity to access

United States : PerksCard Network Launches New Website Platform Promoting Loyalty, Savings and Discounts  
TendersInfo March 24, 2010 Wednesday

voluntary benefits and insurance coverage. Coverage is provided by industry leading carriers in all 50 states, and insurance calls are handled by licensed insurance representatives. Participants may inquire about health insurance, auto, home and life insurance, dental, limited medical benefits products, and more.

Local Mapping - With Local Mapping, participants can search for specific merchant discounts in their neighborhood simply by entering their zip, address, or city/state. Search results are listed in an easy to read format and are mapped for location identification.

Merchant Benefits - Merchants in the PerksCard Network are able to effectively promote their businesses by posting information about their businesses, discounts/offers, and printable coupons to the PerksCard website, as well as through periodic emails sent to registered PerksCard members. In addition, new, time-saving management tools can help merchants run their businesses more efficiently, and all merchants will automatically get access to a wide selection of discounts specifically for business owners.

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LOAD-DATE: March 24, 2010

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March 23, 2010 Tuesday 12:00 PM EST

**LENGTH:** 855 words

**HEADLINE:** PerksCard Network Launches New Website Platform Promoting Loyalty, Savings and Discounts

**DATeline:** ST. PAUL, Minn., March 23

**BODY:**

ST. PAUL, Minn., March 23 /PRNewswire/ -- PerksCard Network, a premier loyalty savings and discount network, announces the launch of a new website and program platform.

The PerksCard program is a lifestyle discount and saving program enabling industry leaders to attract and retain their customers, members and employees. Through its customizable platform, PerksCard provides individuals with access to discounts and savings on products and services they use every day in their communities and online.

The new program platform offers enhanced tracking, reporting and marketing capabilities, and the new PerksCard Network website ([www.perkscard.com](http://www.perkscard.com)) provides users a more efficient and seamless experience so they can quickly search for local merchant discounts, featured offers, online mall offers, and insurance/voluntary benefits.

Highlights of the PerksCard Network include:

Local Merchant Discounts - PerksCard makes it easy for cardholders to locate discounted products and services from local merchants in the communities where they live.

Featured Partners - PerksCard participants receive further discounts and special promotions through a network of Featured Partners, made up of national retailers and service organizations, which offer individuals unique savings and discounts.

Online Mall - Participants can search and compare prices through access to PerksCard Network's Online Mall. Purchases are securely made using a major credit card, and the Online Mall provides a vast amount of businesses and categories for individuals to choose from.

Insurance/Voluntary Benefits - An added value of being part of the PerksCard Network is the opportunity to access voluntary benefits and insurance coverage. Coverage is provided by industry leading carriers in all 50 states, and insurance calls are handled by licensed insurance representatives. Participants may inquire about health insurance, auto, home and life insurance, dental, limited medical benefits products, and more.

PerksCard Network Launches New Website Platform Promoting Loyalty, Savings and Discounts PR Newswire March 23, 2010 Tuesday 12:00 PM EST

**Local Mapping** - With Local Mapping, participants can search for specific merchant discounts in their neighborhood simply by entering their zip, address, or city/state. Search results are listed in an easy to read format and are mapped for location identification.

**Merchant Benefits** - Merchants in the PerksCard Network are able to effectively promote their businesses by posting information about their businesses, discounts/offers, and printable coupons to the PerksCard website, as well as through periodic emails sent to registered PerksCard members. In addition, new, time-saving management tools can help merchants run their businesses more efficiently, and all merchants will automatically get access to a wide selection of discounts specifically for business owners.

"It is very exciting to see our new platform and technology in the market," says Bob Dow, President of PerksGroup. "We have worked long and hard to make PerksCard best-in-class, and will be launching our new platform with some of the biggest employers in the country. The initial response has been overwhelmingly positive. Our clients see this as a great retention and motivational tool that adds value and savings for their employees and the merchants will see it as a means to drive traffic and save money in their business."

#### ABOUT PERKSCARD NETWORK

PerksCard Network is a savings and discount program that employers, associations and other organizations can offer to their employees and members. Founded in 1988, PerksCard began managing discount programs for companies with over 1,000 employees. To date, the PerksCard concept has been implemented in hundreds of major corporations and affinity groups across the U.S. PerksCard has distributed over 5,000,000 cards. PerksCard is a division of Augeo Affinity Marketing.

For more information about PerksCard Network, visit: [www.perkscard.com](http://www.perkscard.com)

#### ABOUT AUGEO AFFINITY MARKETING

Founded in 1998, Augeo is a diverse loyalty marketing company that works with clients to attract and retain their customers, members and employees through incentive and recognition programs, customized points/rewards programs, savings networks and insurance/voluntary benefits solutions. With proven expertise in program development, technology, database design, marketing, operations and vendor acquisition/management, Augeo provides customizable and flexible programs that are tailored and managed to deliver specific results based on each client's performance and data objectives.

Augeo works with many types of organizations including Fortune 500 companies, small-medium businesses, hospitals, colleges/universities and associations.

Augeo is organized into 4 business units that include Augeo Incent, Augeo Loyalty, PerksCard and Augeo Benefits. The headquarter office is located in St. Paul, MN with additional offices in NY and AZ. Augeo employs approximately 130 people. For more information about Augeo Affinity Marketing, visit: [www.augeomarketing.com](http://www.augeomarketing.com)

SOURCE Augeo

CONTACT: Bob Dow, President of PerksGroup, +1-631-941-4613, [bobdow@perkscard.com](mailto:bobdow@perkscard.com), for Augeo; or Amy Murphy, Vice President of Augeo Affinity Marketing, +1-651-204-5734, [amurphy@augeomarketing.com](mailto:amurphy@augeomarketing.com)

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LOAD-DATE: March 24, 2010

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# Newsday

Newsday (New York)

July 22, 2007 Sunday  
ALL EDITIONS

**SECTION:** MONEY & CAREERS; Pg. F06

**LENGTH:** 836 words

**HEADLINE:** CHANGE@WORK: Whaddya mean just an intern?;  
Imagination and motivation help give students an edge in the working world

**BYLINE:** PATRICIA KITCHEN. patricia.kitchen@newsday.com

**BODY:**

Not all workplaces would value a summer intern who takes it upon himself to craft - and wear - a hat made of balloons. But the sales department of PerksCard, a company that creates discount programs for large corporations, does.

That's because the intern, David Finkelstein, 20, of Syosset, is working in a pressured sales culture where motivation - and a spirit of playfulness - are not only welcome, but cultivated.

The hat was his way of signaling that he was the office's runner-of-the-day. He suggested the role of runner that rotates among the department's interns as a way to formalize the gofer-assistant duties they typically do: retrieving faxes, researching sales leads, calculating figures, posting to the sales board, along with trying to maintain an upbeat buzz.

What Finkelstein did is called taking initiative - seeing a need and making a suggestion. It's one of the qualities that can turn you into an intern all-star, says Cheryl Davidson, executive director of the Long Island Works Coalition, a group that, among other things, helps students connect with area internships. It ratchets you up well beyond the expected baseline behaviors, such as showing up on time and refraining from excessive personal phone or iPod use at work, she says.

Finkelstein's new job of runner is "creating energy and a sense of camaraderie between the sales reps and the

CHANGE@WORK: Whaddya mean just an intern?; Imagination and motivation help give students an edge in the working world Newsday (New York) July 22, 2007 Sunday

interns, as well as fostering a sense of belonging for the students," says Adam Cherney, sales director and intern coordinator for PerksCard, which is in the process of relocating from Setauket to Islandia. "It makes them feel like a real part of the team. We will definitely be continuing the runner position in the future."

Finkelstein not only took the initiative - he also got a good read on the company's culture. Would a balloon hat fly in, say, a conservative bank or law firm? Not likely. So determining your workplace's culture and boss' style is also a mark of an intern who is going places, says Chad Foster, Atlanta-based speaker and author of "Teenagers Preparing for the Real World" (South-Western Educational, \$20.95).

Do some reconnaissance about what kind of suggestions are likely to be welcome and what methods would be best for presenting them and to whom, says Foster, who will be speaking in the fall at a Long Island Works Coalition student event.

Finkelstein, a marketing major at Bentley College in Boston, says the value his department places on motivation was apparent. Besides learning from Cherney the basics of how sales get made, he says, he's learned that a fun, exciting environment can translate to better sales. "When [sales representatives] are on the phone selling, they have to sound excited. If they're not, other people won't be," he says.

So one of the runners' jobs is to keep energy high, he says, by shouting out words of encouragement, ringing a bell when sales are made, posting new sales numbers and, yes, even putting on a goofy hat.

How to be an intern all-star

We'll assume you know the basics about showing up on time, following directions, asking for clarity when you don't understand something and completing tasks on time. Here are some behaviors and attributes that can put you into the star category.

Look beyond your immediate task to see how it relates to overall operations, says Cheryl Davidson, executive director of the Long Island Works Coalition. Adam Cherney, sales director and intern coordinator for Perks Card, tells of a former intern who "wanted to learn every aspect of the business." That led him to a full-time job with the company; he went on to become a top sales producer, and within a year was training others.

Understand that it's not just about completing tasks, it's also about developing rapport and relationships with people, says Chad Foster, Atlanta-based speaker and author of "Teenagers Preparing for the Real World." In an unobtrusive way, try to find out more about your colleagues and bosses. Be attuned to their outside interests, career paths, lives beyond work, he says, with an eye to finding some common interest. And when your internship is finished, send a thank-you note and stay in touch.

Along those lines, he also suggests you get a good read on various bosses' and colleagues' work styles. Do they prefer to communicate by e-mail or face to face? Do they prefer to be left alone at certain times? Do they like you to ask a question immediately or try some preliminary problem-solving first? You increase your chances of coming across well and getting positive responses when you adapt to their styles.

Wooing interns

71% Interns getting paid

51% Earning at least \$11 an hour

7% Increase in paid internships over last year

SOURCE: Survey with 519 responses conducted by Vault Inc.; includes the summer after graduation

CHANGE@WORK: Whaddya mean just an intern?; Imagination and motivation help give students an edge in the working world Newsday (New York) July 22, 2007 Sunday

Gaining experience

Number of internships students expect to complete by graduation\*

0 16 percent

1 29 percent

2 24 percent

3 21 percent

4 5 percent

5 5 percent

SOURCE: Survey with 519 responses conducted by Vault Inc.; includes the summer after graduation

**GRAPHIC:** Newsday Photo/Adam Richins - David Finkelstein, summer intern at PerksCard, sometimes wears a balloon hat, made for him by a fellow PerksCard employee, while he works. **CHARTS:** 1) How to be an intern all-star; 2) Wooing interns; 3) Gaining experience (SEE END OF TEXT)

**LOAD-DATE:** July 23, 2007

# Exhibit 69

Petitioner's Exhibit 69  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



58 of 157 DOCUMENTS

Copyright 2005 Dolan Media Newswires  
Long Island Business News (Long Island, NY)

December 2, 2005

**SECTION:** NEWS

**LENGTH:** 136 words

**HEADLINE:** Long Island Works Coalition honors local businesses with Workforce Builders Awards

**BYLINE:** Henry E. Powderly II

**BODY:**

The Long Island Works Coalition honored many local businesses with Workforce Builders Awards.

For school-site activities, LIWC granted School-site Initiatives Awards to Lawyer Norman Sammut, Thomas F. Dalton Funeral Homes and Bank of Smithtown.

For workplace activities, LIWC granted Workplace Initiative Awards to Wyandanch Homes and Property Development Corp., Perks Unlimited and Symbol Technologies.

LIWC granted Advisory Board Awards to CDM Chamber of Commerce, Teachers Federal Credit Union and Mercy Medical Center.

For developing new programs, LIWC granted Workforce Builders Leadership Awards to Nater Associates, Girl Scouts of Nassau County and BAE Systems.

Lastly, LIWC presented its Leadership in Higher Education Award to Adelphi University and its Leadership in Government Award to the National Weather Service.

**LOAD-DATE:** December 2, 2005

# Exhibit 70

Petitioner's Exhibit 70  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
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68 of 157 DOCUMENTS

Copyright 2005 The Post and Courier (Charleston, SC)  
The Post and Courier (Charleston, SC)

May 6, 2005 Friday FINAL Edition

**SECTION:** BUSINESS; Pg. 9B

**LENGTH:** 586 words

**HEADLINE:** State unveils PerksCard program AH: S.C. workers offered way to save money through new discount buying plan arranged by agency

**BYLINE:** CAROLINE FOSSI Of The Post and Courier Staff

**BODY:**

South Carolina's more than 60,000 state employees soon will be able to save a bit more of their hard-earned paychecks, thanks to a new discount buying program.

Unveiled this week in Columbia, the PerksCard program will offer state workers savings at a number of participating national and local retailers.

About 80 national chains accept the card, including Lowe's, Men's Wearhouse, BarnesandNoble.com, Blockbuster Video and Regal Cinemas. About 40 South Carolina businesses are taking part, including six in the Lowcountry.

The state Budget and Control Board's Office of Human Resources arranged the pro-gram, which won't cost the state a dime. Participating businesses pay a fee to join the Perks-Card network. Rates vary, but small businesses typically pay about \$500 to \$700 a year to join.

"These are tight times for the public sector," Budget and Control Board spokesman Michael Sponhour said, noting that state workers in recent years have faced budget cuts and no raises.

And while most people think of state government as a "Columbia thing," Sponhour added that state employees work in all 46 counties, including 8,500 in the Charleston area.

The PerksCard program is offered through New York-based Perks Unlimited Inc. It started in 1988 as an employer-sponsored savings program for large companies. Several states, including Indiana and Virginia, are now participating as well.

Illinois State University, for example, has been taking part in the PerksCard program for several years.

Tom Fowles, the university's assistant human resources director, said the university joined the program mainly because of frequent calls from vendors who wanted to offer special discounts to school employees.

State unveils PerksCard program AH: S.C. workers offered way to save money through new discount buying plan arranged by agency The Post and Courier (Charleston, SC) May 6, 2005 Friday FINAL Edition

Fowles said the university doesn't track usage of the card. He said he has used his own card a few times for car-wash discounts, but admitted he often forgets to take advantage of the program.

PerksCard officials say there are plenty of places for the company's 4 million members to use their cards. More than 15,000 vendors participate in the program, Perks Unlimited CEO Bob Dow said.

The South Carolina program is among the company's largest state programs, he said. "This is something state employees are starving for," he said.

The cards are valid for a year. They will be renewed annually, as long as the state renews its agreement with Perks Unlimited. At this point, only full-time employees are eligible, but the state is considering adding part-time and retired state workers, Dow said.

Unlike similar buyer loyalty programs, Perks Unlimited doesn't share member information with other organizations, Dow said.

Because of conflict-of-interest concerns, state governments have to be careful about the business relationships they strike up.

Under the PerksCard program, state government is, in effect, steering employees' business to certain merchants who offer discounts. But ethics experts said there's little chance for abuse in such a program.

"As long as the business doesn't expect some special advantage from the state government, then it's up to merchants to give discounts to who they want," said Gary Johnson, an assistant political science professor at the University of North Carolina at Charlotte. Besides, he added, "it's pretty small change."

Caroline Fossi covers retailing. Contact her at 937-5524 or cfossi@postandcourier.com.

#### PARTICIPATING MERCHANTS

The following local businesses are taking part in the PerksCard program:

LOAD-DATE: May 10, 2005



# Exhibit 71

Petitioner's Exhibit 71  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



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**The State**  
Found on TheState.com  
The State (Columbia, SC)

MAY 5, 2005 Thursday FINAL EDITION

**SECTION:** METRO: REGION; Pg. B3

**LENGTH:** 851 words

**HEADLINE:** YOUR GENERAL ASSEMBLY

**BODY:**

"We support public schools, and we don't need an alternative school system." - Rep. John Scott, D-Richland, on the tabling of Gov. Mark Sanford's proposal to give parents tax credits to send their children to private schools

**TODAY AT THE STATE HOUSE**

A quick look at what's going on at the Capitol

n In the House: Convenes at 10 a.m.; 9 a.m., 511 Blatt Building, Criminal Laws Subcommittee takes up bill that would allow law enforcement agencies to use electronic traffic tickets

\* In the Senate: Convenes at 11 a.m.; 9 a.m., 105 Gressette Building, special subcommittee takes up several bills regarding domestic violence, including one that would make it illegal for anyone convicted of domestic violence to possess a handgun

\* Elsewhere: Noon, Margarette H. Miller Cosmetology Center, 1509 Fontaine Road, S.C. Voter Education Project holds school choice forum with ministers and elected officials

\* More online: For a complete list of legislative meetings, go to [www.scstatehouse.net](http://www.scstatehouse.net) and click on the "Meetings" links.

There are 13 days left in the 116th General Assembly. The session is scheduled to end June 2.

**SCHMOOZING**

Where and from whom state lawmakers will be getting free eats and drinks:

**TUESDAY**

\* Reception - 6 p.m., Clarion Town House hotel, 1615 Gervais St., hosted by Triad Hospitals Inc., Quorum Health Group Inc., Mary Black Hospital in Spartanburg and Carolinas Hospital System

A quick spin ...

... around the State House

#### SEAT BELT BILL HEADS TO HOUSE FLOOR

A bill that would let police ticket adult drivers for failing to buckle up is on its way back to the House floor after nearly being killed two months ago.

Currently, adult drivers can be ticketed for not wearing a seat belt only if they are stopped for another violation. Minor drivers and drivers with minor passengers not wearing seat belts can be stopped for that violation.

Education and Transportation Committee chairman Ronny Townsend, R-Anderson, said the bill moves back to the House floor without some of the problems that tripped it up in March - a month after the Senate passed it.

For instance, fines of \$25 would be set up so local governments could not use seat belt violations to make money. Those violations wouldn't be subject to add-on court costs, he said.

The bill also could have more support among Legislative Black Caucus members who feared the seat belt law would be used to target black drivers. "There could be data gathered for any kind of analysis of who is being stopped and why and when," Townsend said.

The bill should be up for debate by the middle of next week.

#### STATE BUDGET

House and Senate negotiators are expected to begin work today on a compromise version of the state's \$5.8 billion budget for 2005-06.

The Senate approved the bill last week with a spending flourish, including a wish list that would pump sand onto beaches, pay for downtown redevelopment and tourism projects and expand a Medicaid program for children.

The House added a few wishes of its own Wednesday, amending the spending plan to include around \$14 million for Beaufort and Charleston county schools and \$1.2 million for a Greenville Children's Museum and \$500,000 for a Greenville Reedy River bike and walking trail. The Senate voted Wednesday to reject those changes then decided to take Thursday off.

The House and Senate versions of the budget are similar enough that leaders expect deals to be worked out quickly on the spending plan.

#### LOSING MINIBOTTLES

Restaurants and bars would be able to pour liquor from large bottles under a bill that won key approval Wednesday in the House.

The House gave second reading to a Senate bill that would end the reign of minibottles behind bars in South Carolina, the only state that requires saloons and restaurants to use the 1.7 ounce containers.

Last November, voters agreed to amend a state Constitution requirement that said bars and restaurants had to use minibottles.

The legislation says bar patrons will pay a 5 percent tax on their drinks to cover taxes that had been placed on each minibottle. The House and Senate agree on that tax.

But the House also amended the Senate bill to say that bars and restaurants can't buy 1.75 liter bottles. The House also said that wholesalers can directly sell their product to bars and restaurants, bypassing distributors.

The amendments make the bill identical to a House version of the legislation that passed and was sent to the Senate last week.

The differences in the legislation likely mean the issue is headed for a conference committee, where legislators will work out differences.

#### DISCOUNT CARDS

State workers are getting discount cards that trim their shopping bills at local and national retailers.

The PerksCard discounts range from 10 percent to 50 percent at 10,000 vendors, including Lowe's, Barnes & Noble and Blockbuster Video. Local retailers include florists, pizza shops and car dealerships.

Sam Wilkins, the director of the state Office of Human Resources, says the program costs the state nothing.

The Associated Press

#### GRAPHIC: PHOTO: BW;

Free hearing tests: As part of Better Hearing and Speech Month, students from USC and South Carolina State University provided free hearing screenings Wednesday for legislators and state employees at the Blatt Building. Regina Jackson, left, raises her hand when she hears a specific tone as Brooke Howard conducts the test. Both are speech and language pathology students at South Carolina State. ERIK CAMPOS, THE STATE

LOAD-DATE: September 13, 2005

# Exhibit 72

Petitioner's Exhibit 72  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



72 of 157 DOCUMENTS

Copyright 2005 Associated Press  
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The Associated Press State & Local Wire

May 4, 2005, Wednesday, BC cycle

**SECTION:** State and Regional

**LENGTH:** 191 words

**HEADLINE:** State workers get discount cards

**DATELINE:** COLUMBIA, S.C.

**BODY:**

State workers are getting discount cards that trim their shopping bills at local and national retailers.

The PerksCard discounts range from 10 percent to 50 percent at 10,000 vendors, including Lowe's, Barnes & Noble and Blockbuster Video. Local retailers including florists, pizza shops and car dealerships also are part of the program.

Sam Wilkins, the director of the state Office of Human Resources, says the cards are a way of helping state workers. "State employees provide so much for the citizens of South Carolina and we are pleased to provide this special benefit in recognition of their service," Wilkins said.

The PerksCard is offered through Perks Unlimited Inc., a company headquartered in New Jersey. Bob Dow, the company's chief executive officer, said the company has nearly 4 million cardholders, mostly in the private sector.

Some Indiana state workers are using the cards, but Dow said the distribution of 65,000 cards to South Carolina workers will be the company's largest state program.

Wilkins said the program costs South Carolina nothing. Dow says vendors pay his company for the exposure they get.

**LOAD-DATE:** May 5, 2005

# Exhibit 73

Petitioner's Exhibit 73  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



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Copyright 2005 HT Media Ltd.  
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US States News

May 4, 2005 Wednesday 3:07 AM EST

**LENGTH:** 384 words

**HEADLINE:** STATE EMPLOYEES TO RECEIVE DISCOUNT CARD

**BYLINE:** US States News

**DATELINE:** COLUMBIA, S.C.

**BODY:**

The South Carolina Budget and Control Board issued the following news release:

More than 60,000 state employees will be able to save money at thousands of local and national merchants thanks to a new discount card program arranged by the State Budget and Control Board's Office of Human Resources.

The PerksCard is good for discounts at national chains like Men's Wearhouse, Barnes & Noble.com, Blockbuster Video, Regal Cinemas, and local merchants such as Lexington Cleaners, Pulliam Ford and Shandon Florist. The cards are being distributed to all state employees this week through state agency personnel offices to mark national Public Service Recognition Week.

"We are always looking for creative ways to help loyal and dedicated state employees," said Sam Wilkins, Director of the Office of Human Resources. "At no cost to the state, PerksCard will allow employees to save money at places they shop regularly. State employees provide so much for the citizens of South Carolina and we are pleased to provide this special benefit in recognition of their service."

Participating merchants pay a fee to PerksCard to be a member of the program. Membership gives local businesses a unique way to directly reach state employees in Columbia and all 46 counties around the state. The state neither pays nor receives funds from the PerksCard program. The cards are free to employees.

"We are frequently contacted by local companies that want to provide special incentives to state employees, but are not sure how to reach them," Wilkins said. "PerksCard is the solution to this question."

PerksCard started in 1988 as an employer-sponsored savings program for large companies. It currently serves more than 3.5 million members and has 10,000 vendors in its network with more added weekly.

To find participating merchants, employees should go to [www.perkscard.com](http://www.perkscard.com). Most local merchants will provide the listed discount to employees who show their PerksCard. National discounts may be available as a "Show &



STATE EMPLOYEES TO RECEIVE DISCOUNT CARD US States News May 4, 2005 Wednesday 3:07 AM EST

Save," or some may require internet coupon codes, toll-free or online reservations, or downloaded coupons. PerksStore, an on-line shopping facility where employees can purchase discounted video rentals, movie passes, and gift cards at savings of up to 33%.

Contact: Michael Sponhour, 803/734-0632.

**LOAD-DATE:** November 7, 2005

# Exhibit 74

Petitioner's Exhibit 74  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



91 of 157 DOCUMENTS

Copyright 2003 The National Underwriter Company  
National Underwriter,  
Property & Casualty/Risk & Benefits Management Edition

November 3, 2003

**LENGTH:** 442 words

**HEADLINE:** Couch Braunsdorf Merges With PerksCard

**BYLINE:** By Mark E. Ruquet

**BODY:**

A New Jersey insurance agency has merged with an affinity discount card company to create what it sees as an opportunity to attract business in the personal lines area in early October.

Jim Johnston, president and chairman of the Couch Braunsdorf Insurance Group in Liberty Corner, N.J., announced it has merged with Perks Unlimited Inc., producer of the PerksCard, a member's only discount card distributed through businesses.

Mr. Johnston told *National Underwriter* that with insurers seeking more market share and customers more inclined to use other associations besides traditional referrals to make their insurance purchases, the card appeared to be a great avenue to gain customer interest and business.

After a year-and-a-half association with the Setauket, Long Island, N.Y.-based Perks Unlimited (it will remain in Setauket), the two sought a joint partnership. This took the form of Perks Unlimited becoming a wholly owned subsidiary of Couch Braunsdorf.

Perks Unlimited president and founder, Bob Dow, was named chief executive officer of Couch Braunsdorf Affinity Division. Mark Chibbaro is president of the Affinity division.

Mr. Dow founded Perks Unlimited 15 years ago as a way for corporations to offer added benefits to employees by enabling them to save money on everyday items, Couch Braunsdorf said. Members can present the PerksCard for discounts at more than 10,000 participating local and national establishments, including Blockbuster Video, Men's Wearhouse, Lowe's Home Improvement Warehouse, Linens 'N' Things, AVIS and Mrs. Fields Online.

He said discounts vary, but it is currently working on concluding a deal where individuals could receive a discount of up to 30 percent at theme parks throughout the country.

Some clients utilizing PerksCard include Cooper Health System, Computer Associates, Xerox, AOL Time Warner, Hamilton Sundstrand and the City of Los Angeles Employees' Club, Couch Braunsdorf said.

Mr. Johnston said the insurance marketing would concentrate on automobile and homeowners insurance. He said

future products could include life products and other programs. He also foresees the possibilities of small commercial accounts.

Mr. Johnston said the firm is launching its first project in a Southern state where the national firm is averaging 170 policies per week through call center purchase.

Couch Braunsdorf is a 100-year-old agency with commission income between \$15 million and \$20 million, said Mr. Johnston, and employs 100 people.

Among the carriers supporting the agency in its program, Mr. Johnston said, are Liberty Mutual, Travelers, Hanover and MetLife.

**LOAD-DATE:** November 5, 2003

# Exhibit 75

Petitioner's Exhibit 75  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



92 of 157 DOCUMENTS

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Business and Industry  
National Underwriter Property & Casualty

November 3, 2003

**SECTION:** Pg. 12 Vol. 107 No. 44 ISSN: 1042-6841

**ACC-NO:** 4011524

**LENGTH:** 448 words

**HEADLINE:** Couch Braunsdorf merges with PerksCard. (Couch Braunsdorf Insurance Group, Perks Unlimited Inc.)

**HIGHLIGHT:**

Agent/Broker

**BODY:**

A New Jersey insurance agency has merged with an affinity discount card company to create what it sees as an opportunity to attract business in the personal lines area in early October.

Jim Johnston, president and chairman of the Couch Braunsdorf Insurance Group in Liberty Corner, N.J., announced it has merged with Perks Unlimited Inc., producer of the PerksCard, a member's only discount card distributed through businesses.

Mr. Johnston told National Underwriter that with insurers seeking more market share and customers more inclined to use other associations besides traditional referrals to make their insurance purchases, the card appeared to be a great avenue to gain customer interest and business.

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Couch Braunsdorf merges with PerksCard. (Couch Braunsdorf Insurance Group, Perks Unlimited Inc.) National Underwriter Property & Casualty November 3, 2003

He said discounts vary, but it is currently working on concluding a deal where individuals could receive a discount of up to 30 percent at theme parks throughout the country.

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Mr. Johnston said the firm is launching its first project in a Southern state where the national firm is averaging 170 policies per week through call center purchase.

Couch Braunsdorf is a 100-year-old agency with commission income between \$15 million and \$20 million, said Mr. Johnston, and employs 100 people.

Among the carriers supporting the agency in its program, Mr. Johnston said, are Liberty Mutual, Travelers, Hanover and MetLife. Copyright 2003 National Underwriter Company Copyright 2003 National Underwriter Company 384

**LOAD-DATE:** February 2, 2005

# Exhibit 76

Petitioner's Exhibit 76  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006





4 of 4 DOCUMENTS

Copyright 2003 PR Newswire Association, Inc.  
PR Newswire

October 1, 2003 Wednesday

**SECTION:** FINANCIAL NEWS

**DISTRIBUTION:** TO BUSINESS EDITOR

**LENGTH:** 317 words

**HEADLINE:** Couch Braunsdorf Insurance Announces Merger With Perks Unlimited, Inc.

**DATELINE:** BERNARDS TOWNSHIP, N.J. Oct. 1

**BODY:**

Jim Johnston, President and Chairman of the Couch Braunsdorf Insurance Group in Liberty Corner, has announced a merger with Perks Unlimited, Inc., producer of the PerksCard. Bob Dow, founder of Perks Unlimited, has been named Chief Executive Officer of the Couch Braunsdorf Affinity Division.

Perks Unlimited will maintain its operating headquarters in Setauket on Long Island.

Dow founded Perks Unlimited 15 years ago as a way for corporations to offer added benefits to employees by enabling them to save money on everyday items. Members can present the PerksCard for discounts at more than 10,000 participating local and national establishments, including Blockbuster Video, Men's Wearhouse, Lowe's Home Improvement Warehouse, Linens 'N' Things, AVIS, and Mrs. Fields Online. Some clients utilizing PerksCard include Cooper Health System, Computer Associates, Xerox, AOL Time Warner, Hamilton Sundstrand and the City of Los Angeles Employees' Club.

Mark Chibbaro, President of the Affinity Division of Couch Braunsdorf, described the merger as a perfect synergy of core corporate strengths. The Affinity Division manages voluntary benefits for companies such as: Sony, Ernst and Young Practice Support, The State Employee Associations of Indiana and North Carolina, Hunter Douglas Corporation and many more. Mr. Chibbaro notes, "PerksCard offers a way to amplify our value proposition while expanding our services to over 600 of the nation's largest employers."

Couch Braunsdorf, celebrating 100 years of business this year, is located at 701 Martinsville Road in Liberty Corner. Couch Braunsdorf is one of New Jersey's leading brokers/agents and currently provides insurance and services for personal, commercial, life, health, financial planning, professional liability, and title. For more information, visit the company Web sites at [www.couchbraunsdorf.com](http://www.couchbraunsdorf.com) or [www.perkscard.com](http://www.perkscard.com).

**SOURCE** Couch Braunsdorf

Couch Braunsdorf Insurance Announces Merger With Perks Unlimited, Inc. PR Newswire October 1, 2003 Wednesday

**CONTACT:** Ellen Neufeld, +1-908-542-1700, for Couch Braunsdorf

**URL:** <http://www.prnewswire.com>

**LOAD-DATE:** October 2, 2003

107X1X

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On May 6, 2011

Date of Delivery

Joshua S. Frick

Name of Person Signing Certificate

/Joshua S. Frick/

Signature

May 6, 2011

Date of Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

COUCH/BRAUNSDORF AFFINITY,  
INC.,

Petitioner,

v.

12 INTERACTIVE, LLC,

Registrant.

:  
: Cancellation No. 92051006  
:  
: Mark: PERKSPOT  
:  
: Registration No. 3,355,480  
:  
: Registered: December 18,  
: 2007

**PETITIONER'S SECOND NOTICE OF RELIANCE:  
OFFICIAL RECORDS**

Pursuant to Rule 2.122(e) and TBMP § 704.03, Petitioner Couch/Braunsdorf Affinity, Inc. ("Petitioner") submits this Notice of Reliance for the enclosed official records.

The documents enclosed with this Notice of Reliance are listed in the table below:

<b>Exhibit No.</b>	<b>Title/Description</b>	<b>Relevance</b>
26	Status and title copy of U.S. Registration No. 1,786,961 of the mark PERKS	Petitioner cited this registration in its Petition to Cancel as a basis for cancellation of Registrant's PERKSPOT registration
27	Status and title copy of U.S. Registration No. 3,210,654 of the mark PERKS	Petitioner cited this registration in its Petition to Cancel as a basis for cancellation of Registrant's PERKSPOT registration
28	Status and title copy of U.S. Registration No. 2,580,914 of the mark PERKSCARD	Petitioner cited this registration in its Petition to Cancel as a basis for cancellation of Registrant's PERKSPOT registration
29	Status and title copy of U.S. Registration No. 3,156,685 of the mark PERKSCARD	Petitioner cited this registration in its Petition to Cancel as a basis for cancellation of Registrant's PERKSPOT registration
77	Notice of Opposition filed in Opposition No. 91/087,196	This Opposition proceeding demonstrates Petitioner's success in enforcing its rights in its PERKS mark, and thus is relevant to the strength of the mark and Petitioner's right to exclude others from using similar marks. .
78	Board's decision in Opposition No. 91/087,196	This Opposition proceeding demonstrates Petitioner's success in enforcing its rights in its PERKS mark, and thus is relevant to the strength of the mark and Petitioner's right to exclude others from using similar marks.
79	Notice of Opposition filed in Opposition No. 91/082,604	This Opposition proceeding demonstrates Petitioner's success in enforcing its rights in its PERKS and PERKSCARD marks, and thus is relevant to the strength of the marks and Petitioner's right to exclude others from using similar marks.
80	Board's decision in Opposition No. 91/082,604	This Opposition proceeding demonstrates Petitioner's success in enforcing its rights in its PERKS and PERKSCARD marks, and thus is relevant to the strength of the marks and Petitioner's right to exclude others from using similar marks.

<b>Exhibit No.</b>	<b>Title/Description</b>	<b>Relevance</b>
81	Notice of Opposition filed in Opposition No. 91/194,720	This Opposition proceeding demonstrates Petitioner's success in enforcing its rights in its PERKS and PERKSCARD marks, and thus is relevant to the strength of the marks and Petitioner's right to exclude others from using similar marks.
82	Board's decision in Opposition No. 91/194,720	This Opposition proceeding demonstrates Petitioner's success in enforcing its rights in its PERKS and PERKSCARD marks, and thus is relevant to the strength of the marks and Petitioner's right to exclude others from using similar marks.
83	Notice of Opposition filed in Opposition No. 91/194,558	This Opposition proceeding demonstrates Petitioner's success in enforcing its rights in its PERKS and PERKSCARD marks, and thus is relevant to the strength of the marks and Petitioner's right to exclude others from using similar marks.
84	Board's decision in Opposition No. 91/194,558	This Opposition proceeding demonstrates Petitioner's success in enforcing its rights in its PERKS and PERKSCARD marks, and thus is relevant to the strength of the marks and Petitioner's right to exclude others from using similar marks.
85	Notice of Opposition filed in Opposition No. 91/195,921	This Opposition proceeding demonstrates Petitioner's success in enforcing its rights in its PERKS and PERKSCARD marks, and thus is relevant to the strength of the marks and Petitioner's right to exclude others from using similar marks.
86	Board's decision in Opposition No. 91/195,921	This Opposition proceeding demonstrates Petitioner's success in enforcing its rights in its PERKS and PERKSCARD marks, and thus is relevant to the strength of the marks and Petitioner's right to exclude others from using similar marks.
87	Assignment of Minnesota Trademark Reg. No. 3462767-1	This assignment is relevant to the strength of the PERKS mark and Petitioner's right to exclude others from using similar marks.

Respectfully Submitted,

**COUCH/BRAUNSDORF AFFINITY, INC.**

Dated: May 6, 2011

/Joshua S. Frick/

Philip A. Jones

Joshua S. Frick

BRINKS HOFER GILSON & LIONE

P.O. Box 10395

Chicago, Illinois 60610

(312) 321-4200

*Attorneys for Petitioner*

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF RELIANCE** was served via First-class mail on counsel for Registrant on the 6<sup>th</sup> day of May, 2011 addressed as follows:

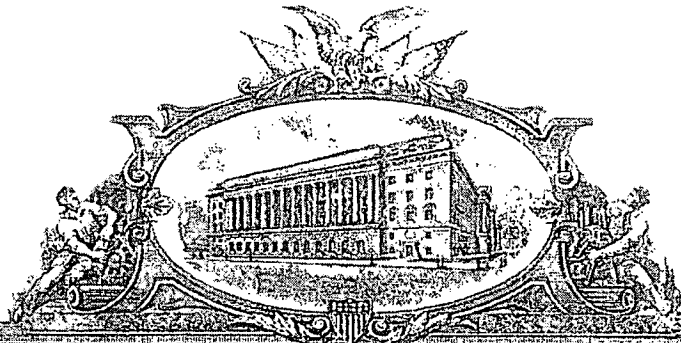
Michael G. Kelber, Esq.  
[mkelber@ngelaw.com](mailto:mkelber@ngelaw.com)  
Katherine Dennis Nye, Esq  
[knve@ngelaw.com](mailto:knve@ngelaw.com)  
Neal, Gerber & Eisenberg LLP  
Two North LaSalle Street, Suite 1700  
Chicago IL 60602-3801

\_\_\_\_\_  
/Joshua S. Frick/



# **Exhibit 26**

7258054



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

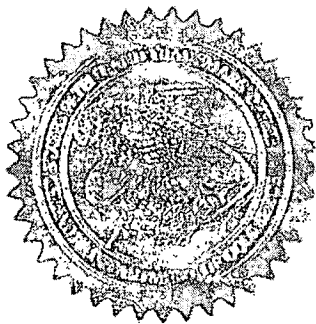
September 14, 2010

THE ATTACHED U.S. TRADEMARK REGISTRATION 1,786,961 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM *August 10, 1993*  
1st RENEWAL FOR A TERM OF 10 YEARS FROM *August 10, 2003*  
SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:  
*COUCH/BRAUNSDORF AFFINITY, INC.*  
*A NEW JERSEY CORPORATION*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



*M. Tarver*  
M. TARVER  
Certifying Officer

Petitioner's Exhibit 26  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006 *TA*

Int. Cl.: 35

Prior U.S. Cl.: 101

**United States Patent and Trademark Office** Reg. No. 1,786,961  
Registered Aug. 10, 1993

**SERVICE MARK  
PRINCIPAL REGISTER**

**PERKS**

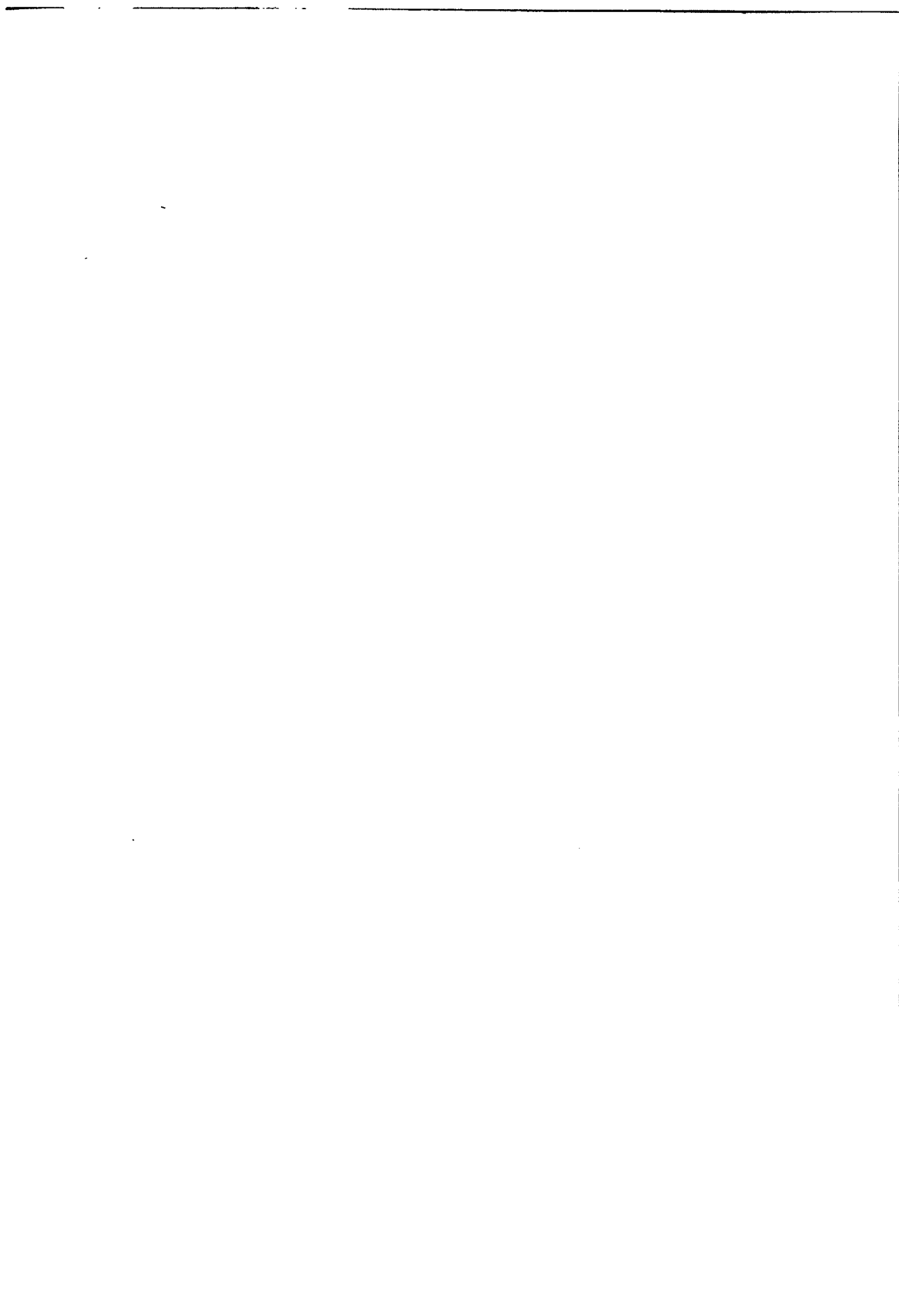
PERKS UNLIMITED, INC. (NEW YORK COR-  
PORATION)  
153 MAIN STREET  
SAYVILLE, NY 11782

FIRST USE 3-24-1988; IN COMMERCE  
3-24-1988.

FOR: PROVIDING VOLUME DISCOUNT  
BUYING SERVICES TO OTHERS, IN CLASS 35  
(U.S. CL. 101).

SER. NO. 74-116,046, FILED 11-16-1990.

G. MAYERSCHOFF, EXAMINING ATTORNEY



PTO-1683  
(Rev. 7-96)

# **Exhibit 27**

7756004



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

September 14, 2010

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,210,654 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *February 20, 2007*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

M. TARVER  
Certifying Officer



Petitioner's Exhibit 27  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006-TP

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,210,654

Registered Feb. 20, 2007

SERVICE MARK  
PRINCIPAL REGISTER

Perks

COUCH BRAUNSDORF/AFFINITY, INC. (NEW  
JERSEY CORPORATION)  
701 MARTINSVILLE ROAD  
LIBERTY CORNER, NJ 07938

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

FOR: BUYING SERVICES, NAMELY, PROVID-  
ING VOLUME DISCOUNTS FOR CONSUMER PRO-  
DUCTS AND SERVICES VIA A MAGNETICALLY  
ENCODED CARD, IN CLASS 35 (U.S. CLS. 100, 101  
AND 102).

OWNER OF U.S. REG. NOS. 1,786,961, 2,580,914,  
AND 3,045,459.

SER. NO. 78-737,799, FILED 10-21-2005.

FIRST USE 3-24-1988; IN COMMERCE 3-24-1988.

ESTHER A. BORSUK, EXAMINING ATTORNEY

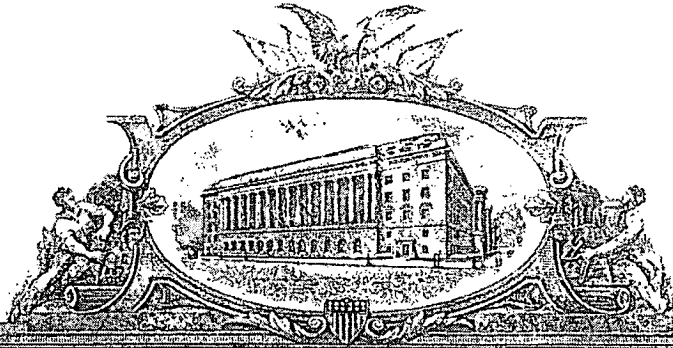






# **Exhibit 28**

7258004



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

September 14, 2010

THE ATTACHED U.S. TRADEMARK REGISTRATION 2,580,914 IS  
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND  
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN  
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES  
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM June 18, 2002

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

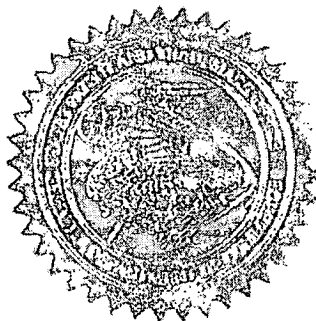
*COUCH/BRAUNSDORF AFFINITY, INC.*

*A NEW JERSEY CORPORATION*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

M. TARVER

Certifying Officer



Petitioner's Exhibit 28  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

**United States Patent and Trademark Office**

**Reg. No. 2,580,914**

Registered June 18, 2002

**SERVICE MARK  
PRINCIPAL REGISTER**

**PERKSCARD**

PERKS UNLIMITED, INC. (NEW YORK COR-  
PORATION)  
565 ROUTE 25A  
MILLER PLACE, NY 117642600

FIRST USE 5-0-1997; IN COMMERCE 5-0-1997.

OWNER OF U.S. REG. NO. 1,786,961.

FOR: BUYING SERVICES, NAMELY, PROVID-  
ING VOLUME DISCOUNTS FOR CONSUMER PRO-  
DUCTS AND SERVICES, IN CLASS 35 (U.S. CLS. 100,  
101 AND 102).

SER. NO. 76-051,909, FILED 5-17-2000.

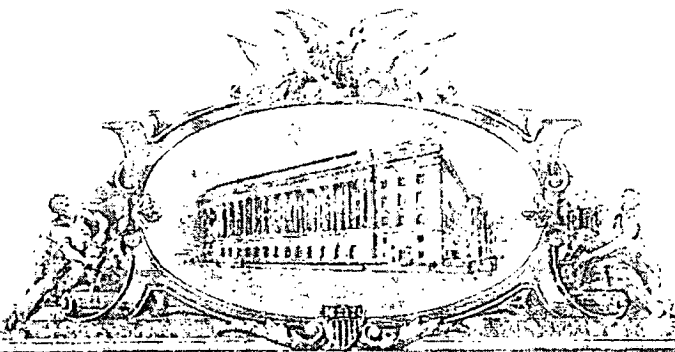
NICHOLAS ALTREE, EXAMINING ATTORNEY





# **Exhibit 29**





# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office

September 14, 2010

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,156,685 IS  
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY  
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH  
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *October 17, 2006*  
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office

M. TARVER  
Certifying Officer



Petitioner's Exhibit 29  
Couch Brands-dorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92 051,006

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,156,685

Registered Oct. 17, 2006

SERVICE MARK  
PRINCIPAL REGISTER

# PerksCard

COUCH/BRAUNSDORF AFFINITY, INC. (NEW  
JERSEY CORPORATION)  
701 MARTINSVILLE ROAD  
LIBERTY CORNER, NJ 07938

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

FOR: BUYING SERVICES, NAMELY, PROVID-  
ING VOLUME DISCOUNTS FOR CONSUMER PRO-  
DUCTS AND SERVICES, IN CLASS 35 (U.S. CLS. 100,  
101 AND 102).

SER. NO. 78-606,012, FILED 4-11-2005.

FIRST USE 1-5-1997; IN COMMERCE 1-5-1997.

HOWARD SMIGA, EXAMINING ATTORNEY





# Exhibit 77

Petitioner's Exhibit 77  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

NOTICE OF OPPOSITION

In the Matter of Application Serial No.  
73/834,766 Published in the Official Gazette  
of January 7, 1992 at p. TM 145

#2

PERKS UNLIMITED, INC.,

Opposer,

v.

CONTINUITY PROGRAMS, INC.,

Applicant.

Opposition No. 87,196

EXPRESS MAIL CERTIFICATION

"Express Mail" label No. GB730526324US  
Date of Deposit February 6, 1992  
I hereby certify that this paper or fee  
is being deposited with the United States  
Postal Service "Express Mail Post Office  
to Addressee" service under 37 C.F.R.  
1.10 on the date indicated above and is  
addressed to the Commissioner of Patents  
and Trademarks, Washington, D.C. 20231.

*John Ferris*  
(Type or print name of person mailing paper or fee)

*John Ferris*  
(Signature of person mailing paper or fee)

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

Perks Unlimited, Inc., a New York corporation with its principal office and place of business at 153 Main Street, Sayville, New York 11782 believes that it will be damaged by registration of the designation PERKS PLUS shown in application Serial No. 73/834,766 filed October 30, 1989, published in the Official Gazette on January 7, 1992 at page TM 145, for the services set forth therein, namely "promoting the sale of goods and services of others through a frequent purchaser program based on accumulated points redeemable for merchandise, discounts on purchases and the like" in International Class 35, and hereby opposes the same.

1 30244 05/12/92 73834766 16-1150 030 377 200.00Ch

As grounds of opposition, it is alleged that:

1. Opposer, Perks Unlimited, Inc., is now and for many years has been engaged in the business of promoting the sale of goods and services of others by providing volume discount buying services to others.

2. At least as early as March 24, 1988, and prior to February 1, 1989, the alleged date of first use claimed by applicant, and prior to June 1, 1989, the alleged date of first use in commerce claimed by applicant, opposer has conducted its said business under the trade names Perks, Perks Unlimited and Perks Unlimited, Inc. in connection with its services of promoting the sale of goods and services of others by providing volume discount buying services to others. Said trade names are and have been so prominently used by opposer and by the public to identify opposer that, since prior to the dates of first use claimed by applicant, opposer has been and is generally known and identified by the name Perks. Indeed, opposer has been doing business using the toll-free telephone number 1-800-72-PERKS.

3. At least as early as March 24, 1988, and prior to February 1, 1989, the alleged date of first use claimed by applicant, and prior to June 1, 1989, the alleged date of first use in commerce claimed by applicant, opposer adopted and began to use the designation PERKS as a service mark for promoting the sale of goods and services of others by providing volume discount buying services to others and said mark has been used by opposer in connection with said services continuously since that date.

4. On November 16, 1990, opposer filed with the Trademark Office application Serial No. 74/116,046 to register its

said mark PERKS for "providing volume discount buying services to others" in Class 35. By an Office Action dated May 20, 1991, said application was suspended pending the disposition of the application herein opposed based on applicant's prior filing date.

5. Opposer's mark PERKS and its trade names Perks, Perks Unlimited and Perks Unlimited, Inc., are now, and ever since their first use as aforesaid have been used conspicuously in connection with said services and have been applied to business cards, stationery, and advertising and promotional materials and brochures describing opposer's services. Said services so marked are now and since prior to any use by applicant have been advertised, promoted, distributed and sold by opposer in interstate commerce throughout the United States.

6. Since prior to the dates of first use claimed by applicant, opposer's mark PERKS and its trade names Perks, Perks Unlimited and Perks Unlimited, Inc. as adopted and used by opposer have been inherently distinctive of opposer's services of promoting the sale of goods and services of others by providing volume discount buying services to others.

7. At a minimum, since prior to the dates of first use claimed by applicant, opposer's mark PERKS and its trade names Perks, Perks Unlimited and Perks Unlimited, Inc., by virtue of the advertising and promotion of opposer's PERKS services, the continued and widespread offering for sale and sale of said services, and the excellence of the services identified and distinguished by opposer's mark PERKS and trade names Perks, Perks Unlimited and Perks Unlimited, Inc., have come to be and are now



widely and favorably known to the trade and public and represent significant goodwill and are of great value to opposer. Said service mark and trade names have come to and do now in the minds of the trade and public identify and designate opposer's services exclusively as coming from and as being associated and sponsored by opposer, and as distinguishing said services from the services of others. Evidence of opposer's use of the mark PERKS and the tradenames Perks, Perks Unlimited and Perks Unlimited, Inc. is attached hereto as Exhibit A (letters written by opposer to potential customers), Exhibit B (a copy of a specimen of opposer's advertising) and Exhibit C (a copy of a specimen of opposer's newsletter).

8. By the application herein opposed, applicant seeks to register the designation PERKS PLUS for "promoting the sale of goods and services of others through a frequent purchaser program based on accumulated points redeemable for merchandise, discounts on purchases and the like."

9. The dominant portion of applicant's designation PERKS PLUS and opposer's mark PERKS and opposer's trade names Perks, Perks Unlimited and Perks Unlimited, Inc. are virtually identical and have the same spelling, pronunciation and suggestive connotation.

10. Applicant's services "promoting the sale of goods and services of others through frequent purchaser program based on accumulated points redeemable for merchandise, discounts on purchases and the like" are similar, if not identical, to opposer's services of promoting the sale of goods and services of

others by providing volume discount buying services to others which are sold and offered for sale by opposer under its mark PERKS and trade names Perks, Perks Unlimited and Perks Unlimited, Inc.

11. Both applicant's frequent purchaser discount services sold and offered for sale under the designation PERKS PLUS and opposer's volume discount buying services sold and offered for sale under the mark PERKS and trade names Perks, Perks Unlimited and Perks Unlimited, Inc. are likely to be or are rendered through the same or similar channels of trade and to the same class of purchasers, including, but not limited to, corporations, employees of corporations and individuals desiring discounts on consumer goods and services.

12. Applicant's use of the designation PERKS PLUS creates the false impression that applicant's PERKS PLUS discount services are sponsored by or associated with opposer and opposer's volume discount buying services sold under the service mark PERKS and trade names Perks, Perks Unlimited and Perks Unlimited, Inc.

13. Applicant's adoption and alleged use of its PERKS PLUS designation is without the license or permission of opposer.

14. Applicant's PERKS PLUS designation so nearly resembles opposer's mark PERKS and opposer's trade names Perks, Perks Unlimited and Perks Unlimited, Inc., previously used and not abandoned, as to be likely, when applied to applicant's identical or related services, to cause confusion, to cause mistake and to deceive with consequent injury to opposer, the trade and to the public.

15. Opposer will be damaged by the registration sought herein by applicant because such registration will support and assist applicant in the confusing, misleading and deceptive use of the designation PERKS PLUS sought to be registered, and will give color of exclusive statutory rights in applicant in violation and derogation of the prior and superior rights of opposer.

WHEREFORE, opposer, Perks Unlimited, Inc., believes that it will be damaged by the registration of the designation PERKS PLUS and prays that application Serial No. 73/834,766 be denied.

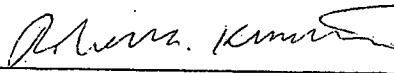
Please recognize as attorneys for opposer in this proceeding Robert M. Kunstadt, Thomas A. Canova and Domna L. Candido (members of the Bar of the State of New York), and the firm of Pennie & Edmonds, 1155 Avenue of the Americas, New York, New York 10036.

Please address all communications to Robert M. Kunstadt, at the above address.

Respectfully submitted,

Dated: New York, New York  
February 6, 1992

By:

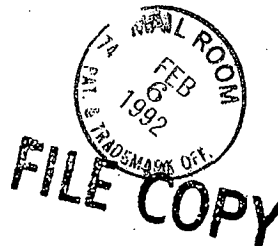
  
Robert M. Kunstadt  
Thomas A. Canova  
Domna L. Candido  
PENNIE & EDMONDS  
1155 Avenue of the Americas  
New York, New York 10036-2711  
(212) 790-9090

Attorneys for Opposer  
PERKS UNLIMITED, INC.

Exhibit A



National/International Supplier  
of Corporate Savings Cards



June 29, 1988

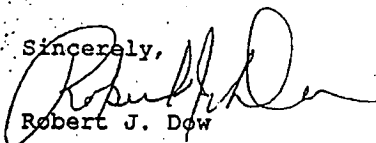
Ms. Bernadette Bogden-Ciotti  
Assistant Director of Human Resources  
The Chester County Hospital  
701 East Marshall Street  
West Chester, PA 19380

Dear Ms. Bogden-Ciotti:

Pursuant to your recent request, we are enclosing additional information for your review. We are confident that you will find this program very exciting. It is always exciting to save money, and now, Perks provides your people with more buying power for their money.

If you have any questions, or if you decide to take advantage of this very valuable service, simply fill out the enclosed form and drop it in the mail, or contact me by simply calling 1-800-72-PERKS.

Sincerely,



Robert J. Dow

RJD/sce  
enc.

MEMBERS AND/OR REGISTERED:  
AMERICAN HOSPITAL ASSOCIATION  
NESRA  
U.S. CHAMBER OF COMMERCE  
LONG ISLAND ASSOCIATION  
LONG ISLAND BETTER BUSINESS BUREAU

153 MAIN STREET, SAYVILLE, N.Y. 11782-9809 (516) 589-0135



National/International Supplier  
of Corporate Savings Cards

FILE COPY

June 15, 1988

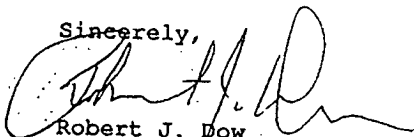
Ms. Deborah M. Harrilchak  
Account Manager  
AVIS Rent A Car System, Inc.  
205 Lexington Avenue  
New York, NY 10016

Dear Deborah:

It was a pleasure meeting with you yesterday, I found our discussion to be most interesting and informative. I know that Avis and Perks can combine resources to make a most mutually beneficial program to offer our client members.

I look forward to meeting with you or Karen again, regarding the specifics of our program with AVIS. Thank you in advance.

Sincerely,



Robert J. Dow  
President

RJD/sce  
enc.

MEMBERS AND/OR REGISTERED:  
AMERICAN HOSPITAL ASSOCIATION  
NESRA  
U.S. CHAMBER OF COMMERCE  
LONG ISLAND ASSOCIATION  
LONG ISLAND BETTER BUSINESS BUREAU

153 MAIN STREET, SAYVILLE, N.Y. 11782-9809 (516) 589-0135

Exhibit B

- Arriving at the departure gate at least an hour before the flight time.
- Obeying flight attendants' instructions.
- Avoiding unnecessary or excessive demands.
- Managing their children.
- Never arriving at the departure gate intoxicated or under the influence of drugs.
- Acting tactfully if mistakenly placed in a smoking or nonsmoking section.

### Interpersonal Stress Vs. Work Stress

Feeling frazzled? You're not alone. A University of Michigan study of 166 married couples found that they encountered so-called minor stress—work overloads, arguments with family members or coworkers, financial worries and transportation problems—six out of every 10 days.

Researchers asked respondents, all of whom lived in the metropolitan Detroit area, to keep daily stress diaries for six weeks, in which they listed stressful events and rated the degree of hostility, anxiety or depression each event created.

Researchers discovered respondents reported at least some stress on an average of 62 percent of the days studied.

Men in the sample reported a total of 5,537 daily stressors, or stressful events, over 5,789 diary days, while women reported 6,101 stressors over the same period of time. Work overloads at home and on the job were the most common events—nearly 8,140 of the 11,638 stressors were reported as overloads. Women, however, were more likely to report overloads at home while men reported them at work. Women employed outside the home got a double dose: they felt overloaded in both settings.

The researchers also found that daily stressors generally lasted for two or more days. Differences between the sexes became more evident. When comparing the diary days and the number of episodes, men reported significantly more episodes of financial stress—155 episodes—than the women—119 episodes—but when the women did encounter financial stress, the episodes lasted more days. Women worried about money a total number of 258 days and men did so for 240 days. Women also were much more likely to feel stress from the demands of family, friends

and the community.

Interpersonal conflicts generated the most stress, but those with employers or neighbors were much more threatening than those with family members. The diaries revealed that over 70 percent of the family conflicts were resolved within one day.

Both men and women in the sample said they felt stress from disagreements with their spouses on 9 percent of the days. Conflicts with children were the next most frequent source of interpersonal stress, but men mentioned them only 4.5 percent of the days while women mentioned them 8 percent of the days. Men, however, were more likely to stay angry with their children for more than a day while women rarely were upset with children longer than that.

"Even though interpersonal conflicts occurred much less frequently than work overloads, they had such an intense emotional effect that they accounted for 80 percent of the mood shifts in the diaries," reported one researcher.

Respondents reported two or more stressors on the same day at least 25 percent of the days in the study. However, after a certain number of stressful events, respondents hit

  
**PERKS**  
UNLIMITED • INC.<sup>FM</sup>  
**Corporate Rate**

#### **Savings Card™**

Now you and your employees can save hundreds of dollars at hundreds of local and national businesses throughout the country.

This totally customized service is available at...**NO COST** whatsoever!!

### **Bigger And Better Than Ever!**

*Based on your many comments, we have expanded our services to include:*

#### **VIBRANCE...**

Your total "Nutrition Boutique." Featured in Bloomingdale's, Working Women & Fitness for Men only. Specializing in: Stress vitamin pacs, weight loss, endurance, skin care, healthy snacks and PMS pacs. Give the gift of health by giving your employees a FREE color catalog. \*\*All NESRA members receive a 20% Discount with every order.

#### **NCN...**

Save your employees up to 17% on their monthly long distance phone bills while generating an additional income for your Employee Activities Association.

For information on any of these fine FREE services, call:

**1-800-727-3757**



Exhibit C

# THE BULLETIN BOARD

Compliments of Perks Unlimited, Inc.'s Corporate Rate Savings Club™.

Volume I No. I

(Your Company Name)

May 1989

This Newsletter was designed to keep you informed of any new discounts or services that may be available to you. Within the following pages, your participating merchants and professionals may be offering additional specials for the coming months.....Don't miss out on the extra savings!!!

## Coming Soon.....The National Directory

This comprehensive directory lists hundreds of businesses Nationwide that you may frequent to receive a special discount or service!



### AVIS Worldwide Discounts

Take advantage of your Perks Unlimited, Inc.'s Corporate Discount Program with AVIS. Receive the following discounts Nationwide:

10% Discount on AVIS Supervalue Daily Rates. Cars must be returned to the same renting location.

5% Discount on AVIS Supervalue Intercity Rates. Applies to one-way rentals--cars not returned to the same renting city.

10% Discount on all published rates in Hawaii.

10% Discount in Western Europe, Africa, Mid East, Asia and Pacific, Latin America including Puerto Rico.

Simply Call 1-800-331-1212 and use your PERKS AWD# A/B654300

### RICH REWARDS

Your personal Corporate Gift Basket Supplier for any Occasion!

In association with Perks Unlimited, Inc. we would like to introduce you to *Rich Rewards*. Whatever the occasion, they will provide a gift basket that is creative and within budget. Each gift is hand selected and wrapped; attention to detail is the order of the day. They have available a wonderful selection of tins of imported cookies, imported chocolates, teas, gourmet coffee beans, preserves and mustards. Their selection of baskets, tote bags of all sizes, and marvelous gift boxes are just waiting to be filled. Their Corporate Center has expanded to meet your every need. *Rich Rewards* will accommodate your every need for whatever your budget allows. For further information or a FREE catalog, call 1-800-72-PERKS!

**Old World Travel**

66 Main Street  
Evanston, 451-8726

We would like to be your Vacation Center!  
Special employee discounts, call us for  
details. Steeply discounted cruise & tour  
specials available.

**Fern's Restaurant**

216 Broad Street  
Mt. Sinai, 825-3001

Complimentary glass of wine and  
basket of garlic bread with any entree.

**Midas Muffler**

41 Allan Boulevard  
Freeport, 425-6363  
10% OFF on all purchases.

**Herb Chambers Hyundai**

20 Jennings Road  
Windsor, 462-1282  
Present your Perks card and buy  
your next Hyundai at 10% above  
invoice.

**Lucy's Mandarin Restaurant**

355 Cottage Grove Road  
Elmont, 633-1414  
15% OFF minimum \$20 purchase  
for dining-in customers only.

**Jack & Jill Hair & Tanning Salon**

Brookside Square Mall  
Lynn, 525-8787  
Come in for your pre-summer tan!  
Present your corporate rate savings  
card for your 15% Discount.

**Suburbanite Limousine Service**

11 Bedford Street  
Elmont, 548-9669

Special occasions and corporate our  
specialty. 25% Discount on rentals  
.....call for details. From corporate cars  
to the super stretch.... We are the one  
to call!

**Party Time Plus**

700 Boston Road  
Hartford, 787-4151  
Party supplies for Birthdays, Weddings,  
Showers, Anniversaries, Office parties,  
etc. 20% OFF all items.

**Video Village**

326 Jane Boulevard  
Selden, 636-1546  
FREE memberships. 10% Discount  
on movie purchases, VCR and Cam-  
corder rentals.

**World of Learning  
Child Care Center**

85 Green Street  
Columbia, 565-1484  
Programs available from 15 months  
to 6 years. 10% OFF weekly tuition.  
Call for details on our new summer  
program.

**Dr. Steven Miller**

Chiropractor  
12 Carlton Place  
Greenfield, 474-1258  
Complimentary Scoliosis & TMJ  
screenings. Special attention given  
to children.

**Special NEWS from your  
participating merchants and  
professionals.....take advantage of  
the Spring and Summer Savings!**

**Bill Selig Jewelers**

Drake Hill Mall  
712 Hopmeadow Street  
161 Broad Street  
Windsor, 688-3111  
3-Day Gold Chain Sale  
June 1-3. 25% OFF regular  
prices.

**East End Hearing & Speech**

4747-3 Nesconset Highway  
Port Jefferson, 331-6455  
We are now happy to accept Empire, GHI,  
Choice-Care, Medicare or 1199 Benefit  
Fund insurance on assignment. Receive  
a 10% Discount on batteries or hearing  
aids with your Perks card.

**Evensong Futon**

Convertible Sofas & Beds  
1604 Main Street  
Port Jefferson, 928-7783  
What is a FUTON? A springless mattress  
made primarily of cotton that accepts your  
body & offers stressless sleep. Come in  
and lie down! 10% Courtesy.

**Port Threads Tailoring**

1601 Main Street  
Evanston, 567-8954  
Specializing in custom tailoring and  
Tuxedo Rentals. Come in and see the new  
Spring and Summer lines. 15% Courtesy.

**Miller Place Florist**

Distinctive Artistry For All Occasions  
Echo Avenue  
Miller Place, 569-1247  
Charge by phone. Prompt delivery service  
7 days a week. 10% Discount for cash, 5%  
Discount for charges. Come in and design  
your bridal bouquets. Special discounts  
on Prom corsages.

**Unique Physique Fitness Center**

275 Route 3  
Mount Sinai, 489-3528  
Professional Instruction. One on One  
training. Cardiovascular equipment.  
Unlimited aerobic classes, Unique  
Boutique, child care. 20% OFF  
regular memberships.

**Mr. Specs Opticians**

518 Chestnut Street  
Lynn, 584-8796  
"Invisible" bifocals for the "no line"  
look. Extra 5% OFF eyeglasses through  
July 31st with your Perks card. Gift  
certificates available for family and  
friends.

**Peterson Ford**

540 Lynnway Avenue  
Lynn, 598-8510  
Make your best deal on any new or  
used car or truck, then present this  
card for a free alarm system. 10% OFF  
on service, parts and labor.

*"To Whom It May Concern:*

*I would like to take this opportunity to let you know what we at MITRE think of the Perks Unlimited Program.*

*It is a terrific benefit for all of our employees. It enables people in our company to come in contact with merchants and services that they pass every day on their way to work. The savings are immediate to the employee and are very much appreciated in these troubled economic times."*

Annmarie Carey  
The MITRE Corporation

*".....I Feel this program will be a great added benefit and a "frill" to all our employees. The extra savings are always welcomed."*

Lynne LaGrua  
Community Hospital

*".....My family and I love the discounts that are offered to us. I can't beleive how much money we have already saved! It's nice to know that my company cares!"*

Employee  
PEPCO

*The Bulletin Board* is published semi-annually by Perks Unlimited, Inc's marketing and art department. Items of news and/or recognition should be sent to: Perks Unlimited, Inc. 153 Main Street, Sayville, NY 11782  
Attn: Marketing Department.

Editor: Susan C. Easparro  
Marketing Assistants : Perry Kleemann, Neil Cassidy  
Production: H & S Graphics

# Exhibit 78

Petitioner's Exhibit 78  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006

BAC/Vela



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Opposition No. 87,196

Perks Unlimited, Inc.

v.

Continuity Programs,  
Inc.

MAR 05 1993

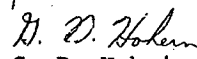
On January 22, 1993, applicant filed an abandonment of its application Serial No. 73/834,766.

Trademark Rule 2.135 provides that if, in an inter partes proceeding, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against applicant.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained and registration to applicant is refused.

  
J. D. Sams

  
J. E. Rice

  
G. D. Hohein  
Members, Trademark  
Trial and Appeal Board

# Exhibit 79

Petitioner's Exhibit 79  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006





TRADEMARK TRIAL AND  
APPEAL BOARD

COMM - 7 AM 6-23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 73-794,724  
Published in the Official Gazette on October 24, 1989

-----X  
PARKS UNLIMITED, INC., :  
: Opposer, :  
v. : Opposition No.  
PERKS, INC., :  
Applicant. :  
-----X

NOTICE OF OPPOSITION

Honorable Commissioner of Patents and Trademarks  
Box 5  
Washington, D.C. 20231

S I R:

Perks Unlimited, Inc., a New York corporation with its principal office and place of business at 153 Main Street, Sayville, New York 11782 believes that it will be damaged by registration of the designation shown in application Serial No. 794,724, filed April 21, 1989, published in the Official Gazette on October 24, 1989 at page TM 142, for the services set forth

C 10219 05/03/90 792724

16-1150 010 314 200.00CH

I hereby certify that this is being deposited with the United States Postal Service in first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231,

on 4/23/90

Signature  
4/23/90  
Date of Signature

therein, namely "providing volume discount buying services for others", in International Class 35, and hereby opposes the same.

As grounds of opposition, it is averred that:

1. Opposer, Perks Unlimited, Inc., is engaged in the business of providing and arranging volume discount services for others.

2. At least as early as March 24, 1988, and prior to applicant's March 7, 1989 alleged date of first use, opposer adopted and began to use the designation PERKS as a service mark for rendering volume discount services for others, and said mark has been used by opposer in connection with such services continuously since that date. At least as early as March 24, 1988, and prior to applicant's March 7, 1989 alleged date of first use, opposer adopted and began to use the corporate name Perks Unlimited, Inc. for rendering volume discount services for others, and said corporate name has been used by opposer in connection with such services continuously since that date. Indeed, opposer does business using the toll-free telephone number 1-800-72-PERKS.

3. Opposer's mark PERKS and its corporate name Perks Unlimited, Inc., are now, and ever since their first use as aforesaid has been, conspicuously applied to brochures describing opposer's services, and said services are now and since prior to any use by applicant of the designation PERKS as a service mark and Perks, Inc. as a corporate name, have been advertised, promoted, distributed and sold in interstate commerce by opposer throughout the United States.

4. Opposer's mark PERKS and its corporate name Perks Unlimited, Inc., have both become well-known to the trade and public by virtue of the advertising and promotion of opposer's PERKS services, the continued and widespread offering of said services, and the excellence of the services identified and distinguished by opposer's PERKS mark as well as the corporate name Perks Unlimited, Inc. Said service mark and corporate name identify and designate the services to which they are applied as coming from and as being associated and sponsored by opposer, and as distinguishing said services from the services of others. Evidence of opposer's use of the mark PERKS and its corporate name Perks Unlimited, Inc., (letters written by opposer to potential customers), is attached as Exhibit A. A copy of a specimen of opposer's advertising is attached as Exhibit B. The front page of opposer's sales brochure is attached as Exhibit C.

5. By the application herein opposed, applicant seeks to register the designation PERKS for providing volume discount services to others.

6. Applicant's services "providing volume discount services for others" are identical to opposer's services which are also "providing volume discount services for others".

7. Both applicant's alleged PERKS mark and opposer's PERKS services are likely to be or are used and/or offered through the same or similar channels of trades and to the same class of

purchasers, including but not limited to corporations, employees of corporation and individuals, desiring discounts on consumer goods and services.

8. Both applicant's alleged PERKS mark and opposer's Perks Unlimited, Inc. corporate name are likely to be or are used through the same or similar channels of trades and with the same class of purchasers, including but not limited to corporations, employees of corporation and individuals, desiring discounts on consumer goods and services.

9. Both applicant's alleged PERKS mark and opposer's PERKS mark and the first word of opposer's corporate name Perks Unlimited, Inc. are the same word, which are spelled and pronounced the same way.

10. Applicant's use of the designation PERKS creates the false impression that applicant's PERKS volume discount services are sponsored by or associated with opposer and opposer's volume discount services sold under the PERKS service mark.

11. Applicant's use of the designation PERKS creates the false impression that applicant's PERKS volume discount services are sponsored by or associated with opposer's corporation Perks Unlimited, Inc.

12. Applicant's PERKS designation so resembles opposer's PERKS mark and opposer's corporate name Perks Unlimited, Inc., previously used, and not abandoned, as to be likely, when

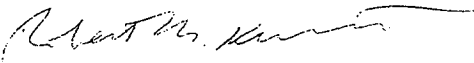
applied to applicant's identical or related services, to cause confusion, to cause mistake and to deceive with consequent injury to opposer, the trade and to the public.

13. Opposer will be damaged by the registration sought herein by applicant because such registration will support and assist applicant in the confusing and misleading use of applicant's designation sought to be registered, and will give color of exclusive statutory rights in applicant in violation and derogation of the prior superior rights of opposer.

14. Applicant's adoption and alleged use of its PERKS designation is without the license or permission of opposer.

WHEREFORE, opposer, Perks Unlimited, Inc., believes that it will be damaged by the registration of the designation PERKS and prays that application Serial No. 794,724 be denied.

By

  
Robert M. Kunstadt  
Daniel J. Klein  
PENNIE & EDMONDS  
1155 Avenue of the Americas  
New York, New York 10036  
(212) 790-9090

Attorneys for Opposer  
PERKS UNLIMITED, INC.

Dated: April 23, 1990

Exhibit A



National/International Supplier  
of Corporate Savings Cards  
August 8, 1989

Dear Member Merchant/Professional:

*PERKS UNLIMITED, INC. Presents:*  
*"The Corporate Rate Savings Club Newsletter"*

We here at Perks, are in the process of preparing the first of 4 newsletters which will be sent to National Institutes of Health, so as to keep their employees' up-to-date with events and/or specials you may be offering. We would like you to provide that information in the space provided below. (25 words or less)

In our effort to make this program a success, we would ask that you reply within 7 business days. We will automatically list your name, address and telephone number(s) within this newsletter, so any additional information you would like to include, please do.

<u>Helen's Handbags</u>	
<u>20-50% OFF or gr.</u>	<u>Largest Selection</u>
<u>Designer BAGS</u>	<u>Lowest Discount Prices</u>
<u>Ed Skin</u>	<u>Rockville, MD 424-5600</u>
<u>Classic</u>	<u>Wintergreen Plaza</u>
<u>Contemporary</u>	

- \* Please print clearly.
- \* Please note that "NO" proof will be sent.
- \* Perks Unlimited, Inc. is not responsible for any typographical errors or misprints.
- \* Please forward all information to: The Bulletin Board, Perks Unlimited, Inc.,  
153 Main Street, Sayville, NY 11782

MEMBERS AND/OR REGISTERED:  
AMERICAN HOSPITAL ASSOCIATION  
NESRA  
U.S. CHAMBER OF COMMERCE  
LONG ISLAND ASSOCIATION  
LONG ISLAND BETTER BUSINESS BUREAU

Sincerely,  
*J. Caspar*  
Perks Unlimited, Inc.  
Corporate Rate Savings Club

**153 MAIN STREET, SAYVILLE, N.Y. 11782-9809 (516) 589-0135**



National/International Supplier  
of Corporate Savings Cards

FILE COPY

June 29, 1988

Ms. Bernadette Bogden-Ciotti  
Assistant Director of Human Resources  
The Chester County Hospital  
701 East Marshall Street  
West Chester, PA 19380

Dear Ms. Bogden-Ciotti:

Pursuant to your recent request, we are enclosing additional information for your review. We are confident that you will find this program very exciting. It is always exciting to save money, and now, Perks provides your people with more buying power for their money.

If you have any questions, or if you decide to take advantage of this very valuable service, simply fill out the enclosed form and drop it in the mail, or contact me by simply calling 1-800-72-PERKS.

Sincerely,

Robert J. Dow

RJD/scs  
enc.

MEMBERS AND/OR REGISTERED:  
AMERICAN HOSPITAL ASSOCIATION  
NESRA  
U.S. CHAMBER OF COMMERCE  
LONG ISLAND ASSOCIATION  
LONG ISLAND BETTER BUSINESS BUREAU

153 MAIN STREET, SAYVILLE, N.Y. 11782-9809 (516) 589-0135



Exhibit B

# EMPLOYEE SERVICES

JOURNAL OF EMPLOYEE RECREATION

MANAGEMENT HEALTH AND EDUCATION

AUGUST, 1981

THE AGING WORKFORCE  
**Shaping the Future**

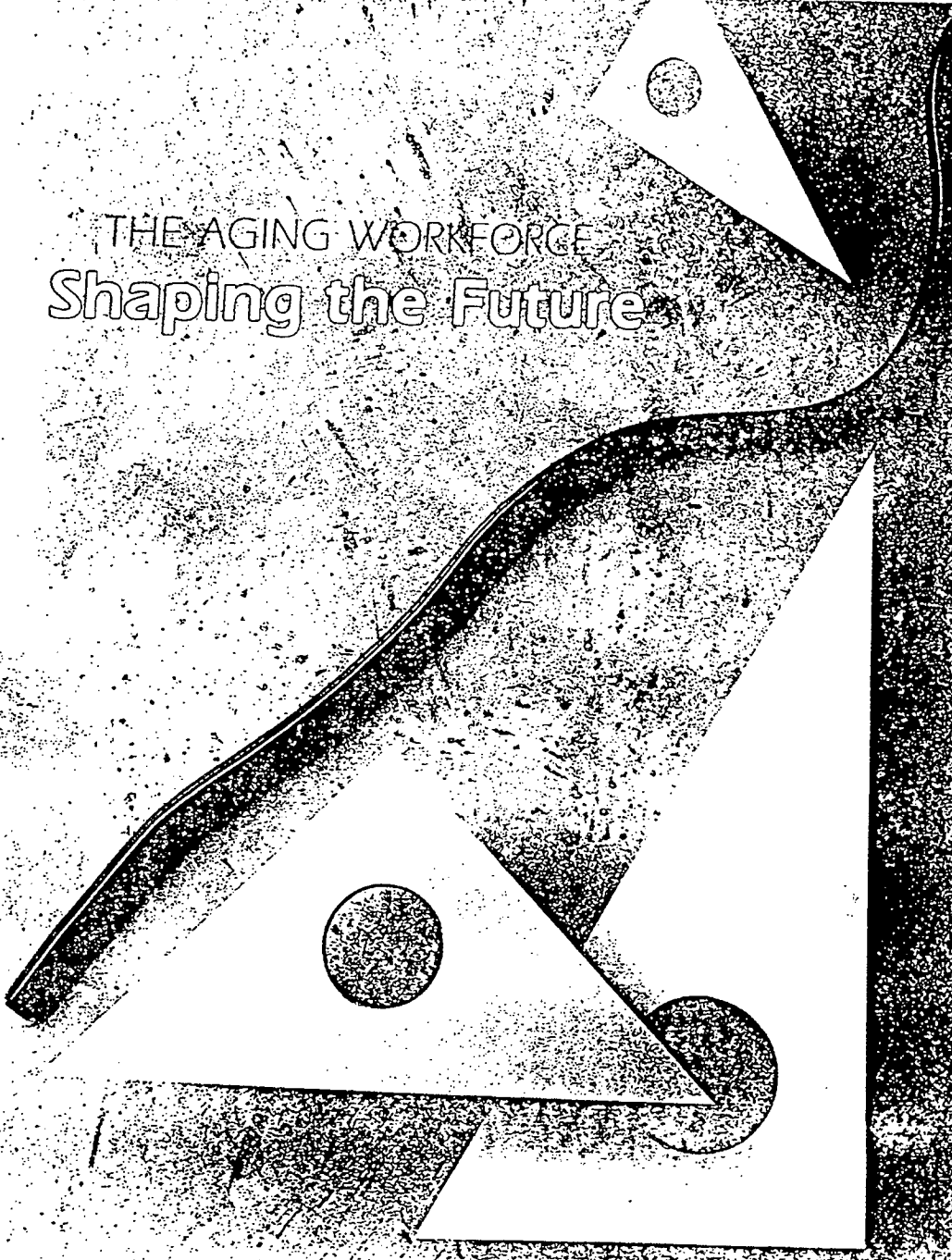
An abstract geometric design featuring a thick, dark, wavy line that curves across the page. Three white circles are positioned at the vertices of a large, irregular white shape that overlaps the wavy line. The background is a dark, textured surface.

Exhibit C

work to accommodate children. In 1988, the percentage for women remained the same while 33 percent of males said they are now interested in such arrangements—that's a 15 percent increase!

- Of those polled in 1985, 58 percent of the women and 27 percent of the men said they would like sick leave policies extended to cover time off to care for an ill child. However, in 1988, 78 percent of women preferred such a policy and the percentage for men sharply inclined to 48 percent.

This implies that men as well as women are concerned about child care now.

Parental leave—unpaid time off for fathers to care for children—is expected to be the hot topic in boardrooms the next few years.

This trend is already catching on

across the nation. In an attempt to meet these needs, the following steps have been taken:

- As recently as June 8, 1988, a bill was introduced in the Senate requiring private firms to offer up to 10 weeks of unpaid leave to new parents.

- Laws requiring businesses to offer family leave to men and women have been passed in many states.

- There is a 29 percent increase among companies offering unpaid child care to fathers since 1980.

- About three-fifths of all organizations with 10 or more employees offer flexible hours, voluntary part-time arrangements and/or parental-leave programs.

Working fathers are involved in child care now more than ever. At one company in New York, men consist of more than half the people

taking part in a company-sponsored day care program. Other fathers have primary responsibility for taking the child to the caretakers before work and picking them up after work. This requires a regular work schedule omitting overtime and socializing for some, while also requiring meticulous time management. At lunchtime, fathers also make time to visit with their children either on-site or off-site.

Even though this may be the case, men are less likely to speak out on this issue or use these resources than women are for many reasons.

- Men may not be aware of these programs.
- They may not know how they can help at home since there is a lack of such role models.
- Unpaid leave may be financially

**INTRODUCING:**

## **PERKS UNLIMITED, INC.**

**National/International Supplier  
Of Corporate Savings Cards**

**The FIRST and ONLY Corporate Savings Cards  
totally customized by you and your employees**

You and your employees can save hundreds of dollars at local and national businesses throughout the country.

This valuable service is offered to you and your employees at **NO COST** whatsoever.

Your plastic I.D. corporate savings card program can be set up by simply calling our toll free number: **1-800-72-PERKS**



**Worldwide AVIS Discounts**

*We at Perks Unlimited look forward to providing this very valuable service to the members of NESRA and their employees.*



# Exhibit 80

Petitioner's Exhibit 80  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



**U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

Vela

Paper No.

Mailed: 04 OCT 1990

• Robert D. Hovey  
c/o Hovey, Williams, Timmons  
& Collins  
1400 Mercantile Bank Tower  
1101 Walnut Street  
Kansas City, MO 64106

Opposition No. 82,604

Perks Unlimited, Inc.

v.

Perks, Inc.

#5

The record shows that a response has not been filed to the notice of default entered in this case.

Accordingly, judgment is hereby entered; the notice of opposition is sustained; and registration to applicant is refused.

*J. D. Sams*  
J. D. Sams

*L. E. Rooney*  
L. E. Rooney

*R. L. Simms*  
R. L. Simms

Members,  
Trademark Trial  
and Appeal Board.

cc:

Robert M. Kunstadt  
c/o Pennie & Edmonds  
1155 Avenue of the Americas  
New York, NY 10036

# Exhibit 81

Petitioner's Exhibit 81  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



ESTTA Tracking number: **ESTTA345319**Filing date: **05/03/2010**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

**Opposer Information**

Name	Couch/Braunsdorf Affinity, Inc.
Granted to Date of previous extension	05/02/2010
Address	2561 Territorial Road St. Paul, MN 55114 UNITED STATES

Attorney information	Philip A. Jones Brinks Hofer Gilson & Lione P.O. Box 10395 Chicago, IL 60610 UNITED STATES officeactions@brinkshofer.com Phone:312-321-4200
----------------------	--

**Applicant Information**

Application No	77762652	Publication date	11/03/2009
Opposition Filing Date	05/03/2010	Opposition Period Ends	05/02/2010
Applicant	SUPERVALU Holdings, Inc. Legal Department 11840 Valley View Road Eden Prairie, MN 55344 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 035. All goods and services in the class are opposed, namely: Retail grocery store services featuring groceries and gasoline; administration of a discount program for enabling participants to obtain discounts on groceries
--


**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

**Marks Cited by Opposer as Basis for Opposition**

U.S. Registration No.	2580914	Application Date	05/17/2000
Registration Date	06/18/2002	Foreign Priority Date	NONE
Word Mark	PERKSCARD		

Design Mark	<b>PERKSCARD</b>
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1997/05/00 First Use In Commerce: 1997/05/00 Buying services, namely, providing volume discounts for consumer products and services

U.S. Registration No.	3156685	Application Date	04/11/2005
Registration Date	10/17/2006	Foreign Priority Date	NONE
Word Mark	PERKSCARD		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1997/01/05 First Use In Commerce: 1997/01/05 Buying services, namely, providing volume discounts for consumer products and services		

U.S. Registration No.	1786961	Application Date	11/16/1990
Registration Date	08/10/1993	Foreign Priority Date	NONE
Word Mark	PERKS		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1988/03/24 First Use In Commerce: 1988/03/24 providing volume discount buying services to others		

U.S. Registration No.	3210654	Application Date	10/21/2005
Registration Date	02/20/2007	Foreign Priority Date	NONE
Word Mark	PERKS		

Design Mark	<h1>Perks</h1>
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1988/03/24 First Use In Commerce: 1988/03/24 Buying services, namely, providing volume discounts for consumer products and services via a magnetically encoded card

Attachments	76051909#TMSN.gif ( 1 page )( bytes ) 78606012#TMSN.jpeg ( 1 page )( bytes ) 78737799#TMSN.jpeg ( 1 page )( bytes ) Perks v. Supervalu_1.PDF ( 10 pages )(253244 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Philip A. Jones/
Name	Philip A. Jones
Date	05/03/2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

---

COUCH/BRAUNSDORF AFFINITY, INC.	)	
	)	
Opposer,	)	Opposition No. _____
	)	
v.	)	
	)	Serial Nos. 77/762,652
SUPERVALU HOLDINGS, INC,	)	
	)	
Applicant.	)	

---

**NOTICE OF OPPOSITION**

Couch/Braunsdorf Affinity, Inc. ("Perks"), a corporation duly organized and existing under the laws of the State of New Jersey, with its principal place of business in St. Paul, Minnesota, believes it will be damaged by the registration of the YOUR PERKS YOUR WAY mark, Serial No. 77/762,652 (the "Opposed Mark"), in the name of SUPERVALU Holdings, Inc., 11840 Valley View Road, Eden Prairie, Minnesota 55344 ("Applicant"), and hereby opposes said application pursuant to 15 U.S.C. § 1063.

In support of this Notice of Opposition, Perks states as follows:

1. Perks is a leading business in the affinity and promotional industry, providing volume discounts for consumer products and services to others. Perks owns and uses in commerce the distinctive service marks PERKS and PERKSCARD in connection with these services.
2. Perks contracts with employers to negotiate discounts and services offered by third parties for employees. Perks provides discount cards under the PERKSCARD mark to employees that may be utilized at third party businesses or over the internet. For example, employees may receive discounts on food, clothing, trips, day care and medical benefits.

3. Over the past 20 years, Perks has grown its business. Perks now has contracts with many national employers. Perks has distributed millions of PERKSCARD discount cards nationwide to employees.

4. PERKS has been used in commerce since at least as early as March 24, 1988, and has been used continuously in commerce since that date. PERKSCARD has been used in commerce since at least as early as May 1997, and has been used continuously in commerce since that date.

5. Perks has invested considerable money, time and effort into the development of the PERKS and PERKSCARD marks. These marks have become assets of incalculable value for Perks as immediately recognizable and well-known indicators of source of the company's high quality services, or at least a single source for the services.

6. Perks owns a number of federal trademark registrations for the PERKS and PERKSCARD marks as set forth below:

<b>Mark</b>	<b>Reg. No.</b>	<b>Reg. Date</b>	<b>Goods/Services</b>	<b>Class</b>
PERKS	1,786,961	August 10, 1993	Providing volume discount buying services to others	35
PERKSCARD	2,580,914	June 18, 2002	Buying services, namely, providing volume discounts for consumer products and services	35
PERKS	3,210,654	February 20, 2007	Buying services, namely, providing volume discounts for consumer products and services via a magnetically encoded card	35
PERKSCARD	3,156,685	October 17, 2006	Buying services, namely, providing volume discounts for consumer products and services	35

7. Copies of the federal registration certificates for the above-referenced marks are attached as Exhibit 1. These federal registrations are valid, subsisting and in full force and

effect. Perks' federal registration certificates are prima facie evidence of the validity of these marks as well as Perks' ownership and exclusive right to use these marks in connection with the identified services. 15 U.S.C. § 1057(b).

8. Perks' right to use in commerce PERKS and PERKSCARD is incontestable pursuant to 15 U.S.C. § 1065.

9. After Perks' first use of the PERKS and PERKSCARD marks, and after the PTO issued federal registrations for the PERKS and PERKSCARD marks, Applicant filed an application to register the Opposed Mark. The application has an identification of services which reads "Retail grocery store services featuring groceries and gasoline; administration of a discount program for enabling participants to obtain discounts on groceries." in Class 35.

10. At the time it filed its application to register the Opposed Mark, Applicant had constructive knowledge of Perks' rights in the PERKS and PERKSCARD marks.

11. The Opposed Mark is confusingly similar in sight, sound, and commercial impression to the PERKS and PERKSCARD marks. The registration of the Opposed Mark in association with the identified services is likely to cause confusion as to the source or origin of Applicant's services, and is likely to mislead consumers, all to Perks' damage.

12. The Opposed Mark, as used in connection with the identified services is likely to cause confusion in the minds of the public, and is likely to deceive purchasers. The public, upon seeing the Opposed Mark in connection with Applicant's services, would believe that such services originate with, or have some connection with Perks. Accordingly, registration of the Opposed Mark would seriously damage Perks, and registration therefore should be refused pursuant to 15 U.S.C. §1052.

WHEREFORE, Perks believes that it will be damaged by registration of the Opposed Mark which is the subject of United States Trademark Application Serial Nos. 77/762,652, and

therefore respectfully requests that such registration be refused on the grounds of likelihood of confusion

The Director hereby is authorized to charge the filing fee for this Notice of Opposition to Deposit Account No. 23-1925.

Respectfully submitted,

COUCH/BRAUNSDORF AFFINITY GROUP, INC.

Dated: May 3, 2010

By: /s/ Philip A. Jones

Philip A. Jones

Joshua S. Frick

BRINKS HOFER GILSON & LIONE

P.O. Box 10395

Chicago, Illinois 60610

Telephone: (312) 321-4200

Facsimile: (312) 321-4299

Attorneys for Opposer

**CERTIFICATE OF SERVICE**

I hereby certify that on May 3, 2010 I served a true and correct copy of the foregoing  
NOTICE OF OPPOSITION on Applicant by U.S. mail addressed as follows:

Michael J. Blum  
SUPERVALU Holdings, Inc.  
11840 Valley View Road  
Eden Prairie, MN 55344-3643

/s/ Philip A. Jones  
One of the Attorneys for Opposer  
Couch/Braunsdorf Affinity, Inc



**A**

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

**United States Patent and Trademark Office**

**Reg. No. 2,580,914**

Registered June 18, 2002

**SERVICE MARK  
PRINCIPAL REGISTER**

**PERKSCARD**

PERKS UNLIMITED, INC. (NEW YORK CORPORATION)  
565 ROUTE 25A  
MILLER PLACE, NY 117642600

FOR: BUYING SERVICES, NAMELY, PROVIDING VOLUME DISCOUNTS FOR CONSUMER PRODUCTS AND SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 5-0-1997; IN COMMERCE 5-0-1997.

OWNER OF U.S. REG. NO. 1,786,961.

SER. NO. 76-051,909, FILED 5-17-2000.

NICHOLAS ALTREE, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

Reg. No. 3,156,685

United States Patent and Trademark Office

Registered Oct. 17, 2006

SERVICE MARK  
PRINCIPAL REGISTER

PerksCard

COUCH/BRAUNSDORF AFFINITY, INC. (NEW  
JERSEY CORPORATION)  
701 MARTINSVILLE ROAD  
LIBERTY CORNER, NJ 07938

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

FOR: BUYING SERVICES, NAMELY, PROVID-  
ING VOLUME DISCOUNTS FOR CONSUMER PRO-  
DUCTS AND SERVICES, IN CLASS 35 (U.S. CLS. 100,  
101 AND 102).

SER. NO. 78-606,012, FILED 4-11-2005.

FIRST USE 1-5-1997; IN COMMERCE 1-5-1997.

HOWARD SMIGA, EXAMINING ATTORNEY

**Int. Cl.: 35**

**Prior U.S. Cl.: 101**

**United States Patent and Trademark Office**

**Reg. No. 1,786,961**

**Registered Aug. 10, 1993**

**SERVICE MARK  
PRINCIPAL REGISTER**

**PERKS**

PERKS UNLIMITED, INC. (NEW YORK COR-  
PORATION)  
153 MAIN STREET  
SAYVILLE, NY 11782

FIRST USE 3-24-1988; IN COMMERCE  
3-24-1988.

FOR: PROVIDING VOLUME DISCOUNT  
BUYING SERVICES TO OTHERS, IN CLASS 35  
(U.S. CL. 101).

SER. NO. 74-116,046, FILED 11-16-1990.

G. MAYERSCHOFF, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

**United States Patent and Trademark Office**

**Reg. No. 3,210,654**

Registered Feb. 20, 2007

**SERVICE MARK  
PRINCIPAL REGISTER**

# Perks

COUCH BRAUNSDORF/AFFINITY, INC. (NEW  
JERSEY CORPORATION)  
701 MARTINSVILLE ROAD  
LIBERTY CORNER, NJ 07938

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

FOR: BUYING SERVICES, NAMELY, PROVID-  
ING VOLUME DISCOUNTS FOR CONSUMER PRO-  
DUCTS AND SERVICES VIA A MAGNETICALLY  
ENCODED CARD, IN CLASS 35 (U.S. CLS. 100, 101  
AND 102).

OWNER OF U.S. REG. NOS. 1,786,961, 2,580,914,  
AND 3,045,459.

SER. NO. 78-737,799, FILED 10-21-2005.

FIRST USE 3-24-1988; IN COMMERCE 3-24-1988.

ESTHER A. BORSUK, EXAMINING ATTORNEY

# Exhibit 82

Petitioner's Exhibit 82  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

am

Mailed: April 7, 2011

Opposition No. 91194720

Couch/Braunsdorf Affinity,  
Inc.

v.

SUPERVALU Holdings, Inc.

On March 17, 2011, applicant filed an abandonment of its application Serial No. 77762652.

Trademark Rule 2.135 provides that if, in an inter partes proceeding, the applicant files an abandonment without the written consent of every adverse party to the proceeding, judgment shall be entered against applicant.

In view thereof, and because opposer's written consent to the abandonment is not of record, judgment is hereby entered against applicant, the opposition is sustained and registration to applicant is refused.

***By the Trademark Trial  
and Appeal Board***

# Exhibit 83

Petitioner's Exhibit 83  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



ESTTA Tracking number: **ESTTA343028**Filing date: **04/19/2010**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

**Opposer Information**

Name	Couch/Braunsdorf Affinity, Inc.
Granted to Date of previous extension	04/18/2010
Address	2561 Territorial Drive St. Paul, MN 55114 UNITED STATES
Correspondence information	Couch/Braunsdorf Affinity, Inc. 2561 Territorial Drive St. Paul, MN 55114 UNITED STATES officeactions@brinkshofer.com, pjones@brinkshofer.com

**Applicant Information**

Application No	77672625	Publication date	10/20/2009
Opposition Filing Date	04/19/2010	Opposition Period Ends	04/18/2010
Applicant	Town of Addison, Texas ATTN: City Manager P.O. Box 9010 Addison, TX 75001 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 035. First Use: 2007/05/31 First Use In Commerce: 2007/05/31 All goods and services in the class are opposed, namely: Promoting the goods of others, namely, providing information regarding discounts, coupons, rebates, vouchers and special offers for the goods of others
--

**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

**Marks Cited by Opposer as Basis for Opposition**

U.S. Registration No.	1786961	Application Date	11/16/1990
Registration Date	08/10/1993	Foreign Priority Date	NONE
Word Mark	PERKS		
Design Mark			
Description of	NONE		

Mark	
Goods/Services	Class 035. First use: First Use: 1988/03/24 First Use In Commerce: 1988/03/24 providing volume discount buying services to others

U.S. Registration No.	2580914	Application Date	05/17/2000
Registration Date	06/18/2002	Foreign Priority Date	NONE
Word Mark	PERKSCARD		
Design Mark	<p style="text-align: center;"><b>PERKSCARD</b></p>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1997/05/00 First Use In Commerce: 1997/05/00 Buying services, namely, providing volume discounts for consumer products and services		

U.S. Registration No.	3210654	Application Date	10/21/2005
Registration Date	02/20/2007	Foreign Priority Date	NONE
Word Mark	PERKS		
Design Mark	<p style="text-align: center;"><b>Perks</b></p>		
Description of Mark	NONE		
Goods/Services	Class 035. First use: First Use: 1988/03/24 First Use In Commerce: 1988/03/24 Buying services, namely, providing volume discounts for consumer products and services via a magnetically encoded card		

U.S. Registration No.	3156685	Application Date	04/11/2005
Registration Date	10/17/2006	Foreign Priority Date	NONE
Word Mark	PERKSCARD		

Design Mark	<h1>PerksCard</h1>
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1997/01/05 First Use In Commerce: 1997/01/05 Buying services, namely, providing volume discounts for consumer products and services

Attachments	76051909#TMSN.gif ( 1 page )( bytes ) 78737799#TMSN.jpeg ( 1 page )( bytes ) 78606012#TMSN.jpeg ( 1 page )( bytes ) AddisonPerksOpposition.pdf ( 10 pages )(138920 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Philip Jones/
Name	Couch/Braunsdorf Affinity, Inc.
Date	04/19/2010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

---

COUCH/BRAUNSDORF AFFINITY, INC.	)	
	)	
Opposer,	)	Opposition No. _____
	)	
v.	)	Serial Nos. 77/672,625
	)	
TOWN OF ADDISON,	)	
	)	
Applicant.	)	

---

**NOTICE OF OPPOSITION**

Couch/Braunsdorf Affinity, Inc. ("Perks"), a corporation duly organized and existing under the laws of the State of New Jersey, with its principal place of business in St. Paul, Minnesota, believes it will be damaged by the registration of the ADDISON PERKS & Design mark, Serial No. 77/672,625 (the "Opposed Mark"), in the name of Town of Addison, P.O. Box 9010 Addison, Texas 75001 ("Applicant"), and hereby opposes said applications pursuant to 15 U.S.C. § 1063.

In support of this Notice of Opposition, Perks states as follows:

1. Perks is a leading business in the affinity and promotional industry, providing volume discounts for consumer products and services to others. Perks owns and uses in commerce the distinctive service marks PERKS and PERKSCARD in connection with these services.
2. Perks contracts with employers to negotiate discounts and services offered by third parties for employees. Perks provides discount cards under the PERKSCARD mark to employees that may be utilized at third party businesses or over the internet. For example, employees may receive discounts on food, clothing, trips, day care and medical benefits.

3. Over the past 20 years, Perks has grown its business. Perks now has contracts with many national employers. Perks has distributed millions of PERKSCARD discount cards nationwide to employees.

4. PERKS has been used in commerce since at least as early as March 24, 1988, and has been used continuously in commerce since that date. PERKSCARD has been used in commerce since at least as early as May 1997, and has been used continuously in commerce since that date.

5. Perks has invested considerable money, time and effort into the development of the PERKS and PERKSCARD marks. These marks have become assets of incalculable value for Perks as immediately recognizable and well-known indicators of source of the company's high quality services, or at least a single source for the services.

6. Perks owns a number of federal trademark registrations for the PERKS and PERKSCARD marks as set forth below:

<b>Mark</b>	<b>Reg. No.</b>	<b>Reg. Date</b>	<b>Goods/Services</b>	<b>Class</b>
PERKS	1,786,961	August 10, 1993	Providing volume discount buying services to others	35
PERKSCARD	2,580,914	June 18, 2002	Buying services, namely, providing volume discounts for consumer products and services	35
PERKS	3,210,654	February 20, 2007	Buying services, namely, providing volume discounts for consumer products and services via a magnetically encoded card	35
PERKSCARD	3,156,685	October 17, 2006	Buying services, namely, providing volume discounts for consumer products and services	35

7. Copies of the federal registration certificates for the above-referenced marks are attached as Exhibit 1. These federal registrations are valid, subsisting and in full force

and effect. Perks' federal registration certificates are prima facie evidence of the validity of these marks as well as Perks' ownership and exclusive right to use these marks in connection with the identified services. 15 U.S.C. § 1057(b).

8. Perks' right to use in commerce PERKS and PERKSCARD is incontestable pursuant to 15 U.S.C. § 1065.

9. After Perks' first use of the PERKS and PERKSCARD marks, and after the PTO issued federal registrations for the PERKS and PERKSCARD marks, Applicant filed applications to register the Opposed Mark. The application has an identification of services which reads "Promoting the goods of others, namely, providing information regarding discounts, coupons, rebates, vouchers and special offers for the goods of others." in Class 35.

10. Upon information and belief, Applicant is using the Opposed Mark in association with the identified services. Applicant's services are highly related, or virtually identical to, Perks' services.

11. At the time it filed its application to register the Opposed Mark, Applicant had constructive knowledge of Perks' rights in the PERKS and PERKSCARD marks.

12. The Opposed Mark is confusingly similar in sight, sound, and commercial impression to the PERKS and PERKSCARD marks. The registration of the Opposed Mark in association with the identified services is likely to cause confusion as to the source or origin of Applicant's services, and is likely to mislead consumers, all to Perks' damage.

13. The Opposed Mark, as used in connection with the identified services is likely to cause confusion in the minds of the public, and is likely to deceive purchasers. The public, upon seeing the Opposed Mark in connection with Applicant's services, would believe that such services originate with, or have some connection with Perks. Accordingly, registration of the

Opposed Mark would seriously damage Perks, and registration therefore should be refused pursuant to 15 U.S.C. §1052.

WHEREFORE, Perks believes that it will be damaged by registration of the Opposed Mark which is the subject of United States Trademark Application Serial Nos. 77/672,625, and therefore respectfully requests that such registration be refused on the grounds of likelihood of confusion

The Director hereby is authorized to charge the filing fee for this Notice of Opposition to Deposit Account No. 23-1925.

Respectfully submitted,

COUCH/BRAUNSDORF AFFINITY GROUP, INC.

Dated: April 19, 2010

By: s/ Philip A. Jones/  
Philip A. Jones  
Joshua S. Frick  
BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610  
Telephone: (312) 321-4200  
Facsimile: (312) 321-4299

Attorneys for Opposer

**CERTIFICATE OF SERVICE**

I hereby certify that on April 19, 2010 I served a true and correct copy of the foregoing  
NOTICE OF OPPOSITION on counsel for Applicant by U.S. mail addressed as follows:

J. F. Chester, JD/LL.M  
Cowles & Thompson, PC  
901 Main Street, Suite 3900  
Dallas, Texas 75202

/s/ Philip A. Jones  
One of the Attorneys for Opposer  
Couch/Braunsdorf Affinity, Inc



# EXHIBIT 1

**Int. Cl.: 35**

**Prior U.S. Cl.: 101**

**United States Patent and Trademark Office**

**Reg. No. 1,786,961**

**Registered Aug. 10, 1993**

**SERVICE MARK  
PRINCIPAL REGISTER**

**PERKS**

PERKS UNLIMITED, INC. (NEW YORK COR-  
PORATION)  
153 MAIN STREET  
SAYVILLE, NY 11782

FIRST USE 3-24-1988; IN COMMERCE  
3-24-1988.

SER. NO. 74-116,046, FILED 11-16-1990.

FOR: PROVIDING VOLUME DISCOUNT  
BUYING SERVICES TO OTHERS, IN CLASS 35  
(U.S. CL. 101).

G. MAYERSCHOFF, EXAMINING ATTORNEY

**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,580,914**

**Registered June 18, 2002**

**SERVICE MARK  
PRINCIPAL REGISTER**

**PERKSCARD**

PERKS UNLIMITED, INC. (NEW YORK COR-  
PORATION)  
565 ROUTE 25A  
MILLER PLACE, NY 117642600

FIRST USE 5-0-1997; IN COMMERCE 5-0-1997.

OWNER OF U.S. REG. NO. 1,786,961.

FOR: BUYING SERVICES, NAMELY, PROVID-  
ING VOLUME DISCOUNTS FOR CONSUMER PRO-  
DUCTS AND SERVICES, IN CLASS 35 (U.S. CLS. 100,  
101 AND 102).

SER. NO. 76-051,909, FILED 5-17-2000.

NICHOLAS ALTREE, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

**United States Patent and Trademark Office**

**Reg. No. 3,210,654**

Registered Feb. 20, 2007

**SERVICE MARK  
PRINCIPAL REGISTER**

# Perks

COUCH BRAUNSDORF/AFFINITY, INC. (NEW  
JERSEY CORPORATION)  
701 MARTINSVILLE ROAD  
LIBERTY CORNER, NJ 07938

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

FOR: BUYING SERVICES, NAMELY, PROVID-  
ING VOLUME DISCOUNTS FOR CONSUMER PRO-  
DUCTS AND SERVICES VIA A MAGNETICALLY  
ENCODED CARD, IN CLASS 35 (U.S. CLS. 100, 101  
AND 102).

OWNER OF U.S. REG. NOS. 1,786,961, 2,580,914,  
AND 3,045,459.

SER. NO. 78-737,799, FILED 10-21-2005.

FIRST USE 3-24-1988; IN COMMERCE 3-24-1988.

ESTHER A. BORSUK, EXAMINING ATTORNEY

**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 3,156,685**

**Registered Oct. 17, 2006**

**SERVICE MARK  
PRINCIPAL REGISTER**

**PerksCard**

COUCH/BRAUNSDORF AFFINITY, INC. (NEW  
JERSEY CORPORATION)  
701 MARTINSVILLE ROAD  
LIBERTY CORNER, NJ 07938

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

FOR: BUYING SERVICES, NAMELY, PROVID-  
ING VOLUME DISCOUNTS FOR CONSUMER PRO-  
DUCTS AND SERVICES, IN CLASS 35 (U.S. CLS. 100,  
101 AND 102).

SER. NO. 78-606,012, FILED 4-11-2005.

FIRST USE 1-5-1997; IN COMMERCE 1-5-1997.

HOWARD SMIGA, EXAMINING ATTORNEY

# Exhibit 84

Petitioner's Exhibit 84  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

am

Mailed: July 30, 2010

Opposition No. 91194558

Couch/Braunsdorf Affinity,  
Inc.

v.

Town of Addison, Texas

On June 15, 2010, the Board sent a notice of default to applicant because no answer had been filed.

The record shows no response thereto.

Accordingly, judgment by default is hereby entered against applicant, the opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55, and Trademark Rule 2.106(a).

***By the Trademark Trial  
and Appeal Board***

# Exhibit 85

Petitioner's Exhibit 85  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



ESTTA Tracking number: **ESTTA361578**Filing date: **08/04/2010**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

**Opposer Information**

Name	Couch/Braunsdorf Affinity, Inc.
Granted to Date of previous extension	08/04/2010
Address	2561 Territorial Road St. Paul, MN 55114 UNITED STATES
Attorney information	Philip A. Jones Brinks Hofer Gilson & Lione P.O. Box 10395 Chicago, IL 60610 UNITED STATES officeactions@brinkshofer.com

**Applicant Information**

Application No	77831861	Publication date	04/06/2010
Opposition Filing Date	08/04/2010	Opposition Period Ends	08/04/2010
Applicant	Wood Royalty Management Company 103 Foulk Road, Suite 101 Wilmington, DE 19803 UNITED STATES		

**Goods/Services Affected by Opposition**

Class 035. First Use: 2009/09/08 First Use In Commerce: 2009/09/08 All goods and services in the class are opposed, namely: Administering a consumer loyalty incentive program which allows participating customers to obtain discounts on beverages and food through use of a discount card
---

**Grounds for Opposition**

Priority and likelihood of confusion	Trademark Act section 2(d)
--------------------------------------	----------------------------

**Marks Cited by Opposer as Basis for Opposition**

U.S. Registration No.	1786961	Application Date	11/16/1990
Registration Date	08/10/1993	Foreign Priority Date	NONE
Word Mark	PERKS		
Design Mark			

Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1988/03/24 First Use In Commerce: 1988/03/24 providing volume discount buying services to others

U.S. Registration No.	2580914	Application Date	05/17/2000
Registration Date	06/18/2002	Foreign Priority Date	NONE

Word Mark	PERKSCARD
-----------	-----------

Design Mark	<b>PERKSCARD</b>
-------------	------------------

Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1997/05/00 First Use In Commerce: 1997/05/00 Buying services, namely, providing volume discounts for consumer products and services

U.S. Registration No.	3210654	Application Date	10/21/2005
Registration Date	02/20/2007	Foreign Priority Date	NONE

Word Mark	PERKS
-----------	-------

Design Mark	<b>Perks</b>
-------------	--------------

Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1988/03/24 First Use In Commerce: 1988/03/24 Buying services, namely, providing volume discounts for consumer products and services via a magnetically encoded card

U.S. Registration No.	3156685	Application Date	04/11/2005
Registration Date	10/17/2006	Foreign Priority Date	NONE

Word Mark	PERKSCARD
-----------	-----------

Design Mark	<h1>PerksCard</h1>
Description of Mark	NONE
Goods/Services	Class 035. First use: First Use: 1997/01/05 First Use In Commerce: 1997/01/05 Buying services, namely, providing volume discounts for consumer products and services

Attachments	76051909#TMSN.gif ( 1 page )( bytes ) 78737799#TMSN.jpeg ( 1 page )( bytes ) 78606012#TMSN.jpeg ( 1 page )( bytes ) 2010-08-4 - Notice of Opposition - JAZZMANS PERKS CARD.pdf ( 10 pages )(89411 bytes )
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### Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Philip A. Jones/
Name	Philip A. Jones
Date	08/04/2010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

COUCH/BRAUNSDORF AFFINITY, INC.	)	
	)	
Opposer,	)	Opposition No. _____
	)	
v.	)	Serial No. 77/831,861
	)	
WOOD ROYALTY MANAGEMENT COMPANY,	)	
	)	
Applicant.	)	

**NOTICE OF OPPOSITION**

Couch/Braunsdorf Affinity, Inc. ("Perks"), a corporation duly organized and existing under the laws of the State of New Jersey, with its principal place of business in St. Paul, Minnesota, believes it will be damaged by the registration of the mark JAZZMAN'S PERK CARD, Serial No. 77/831,861 (the "Opposed Mark"), in the name of Wood Royalty Management Company, 103 Foulk Road, Suite 101, Wilmington, Delaware 19803 ("Applicant"), and hereby opposes said applications pursuant to 15 U.S.C. § 1063.

In support of this Notice of Opposition, Perks states as follows:

1. Perks is a leading business in the affinity and promotional industry, providing volume discounts for consumer products and services to others. Perks owns and uses in commerce the distinctive service marks PERKS and PERKSCARD in connection with these services.

2. Perks contracts with employers to negotiate discounts and services offered by third parties for employees. Perks provides discount cards under the PERKSCARD mark to employees that may be utilized at third party businesses or over the internet. For example, employees may receive discounts on food, clothing, trips, day care and medical benefits.

3. Over the past 20 years, Perks has grown its business. Perks now has contracts with many national employers. Perks has distributed millions of PERKSCARD discount cards nationwide to employees.

4. PERKS has been used in commerce since at least as early as March 24, 1988, and has been used continuously in commerce since that date. PERKSCARD has been used in commerce since at least as early as May 1997, and has been used continuously in commerce since that date.

5. Perks has invested considerable money, time and effort into the development of the PERKS and PERKSCARD marks. These marks have become assets of incalculable value for Perks as immediately recognizable and well-known indicators of source of the company's high quality services, or at least a single source for the services.

6. Perks owns a number of federal trademark registrations for the PERKS and PERKSCARD marks as set forth below:

Mark	Reg. No.	Reg. Date	Goods/Services	Class
PERKS	1,786,961	August 10, 1993	Providing volume discount buying services to others	35
PERKSCARD	2,580,914	June 18, 2002	Buying services, namely, providing volume discounts for consumer products and services	35
PERKS	3,210,654	February 20, 2007	Buying services, namely, providing volume discounts for consumer products and services via a magnetically encoded card	35
PERKSCARD	3,156,685	October 17, 2006	Buying services, namely, providing volume discounts for consumer products and services	35

7. Copies of the federal registration certificates for the above-referenced marks are attached as Exhibit 1. These federal registrations are valid, subsisting and in full force and effect. Perks' federal registration certificates are prima facie evidence of the validity of these

marks as well as Perks' ownership and exclusive right to use these marks in connection with the identified services. 15 U.S.C. § 1057(b).

8. Perks' right to use in commerce PERKS and PERKSCARD is incontestable pursuant to 15 U.S.C. § 1065.

9. After Perks' first use of the PERKS and PERKSCARD marks, and after the PTO issued federal registrations for the PERKS and PERKSCARD marks, Applicant filed an application to register the Opposed Mark. The application has an identification of services which reads "Administering a consumer loyalty incentive program which allows participating customers to obtain discounts on beverages and food through use of a discount card." in Class 35.

10. Upon information and belief, Applicant is using the Opposed Mark in association with the identified services.

11. At the time it filed its application to register the Opposed Mark, Applicant had constructive knowledge of Perks' rights in the PERKS and PERKSCARD marks.

12. The Opposed Mark is confusingly similar in sight, sound, and commercial impression to the PERKS and PERKSCARD marks. The registration of the Opposed Mark in association with the identified services is likely to cause confusion as to the source or origin of Applicant's services, and is likely to mislead consumers, all to Perks' damage.

13. The Opposed Mark, as used in connection with the identified services is likely to cause confusion in the minds of the public, and is likely to deceive purchasers. The public, upon seeing the Opposed Mark in connection with Applicant's services, would believe that such services originate with, or have some connection with Perks. Accordingly, registration of the Opposed Mark would seriously damage Perks, and registration therefore should be refused pursuant to 15 U.S.C. §1052.

WHEREFORE, Perks believes that it will be damaged by registration of the Opposed Mark which is the subject of United States Trademark Application Serial Nos. 77/831,861, and therefore respectfully requests that such registration be refused on the grounds of likelihood of confusion

The Director hereby is authorized to charge the filing fee for this Notice of Opposition to Deposit Account No. 23-1925.

Respectfully submitted,

COUCH/BRAUNSDORF AFFINITY GROUP, INC.

Dated: August 4, 2010

By: /Philip A. Jones/  
Philip A. Jones  
Joshua S. Frick  
BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610  
Telephone: (312) 321-4200  
Facsimile: (312) 321-4299

Attorneys for Opposer

**CERTIFICATE OF SERVICE**

I hereby certify that on August 4, 2010 I served a true and correct copy of the foregoing  
NOTICE OF OPPOSITION on counsel for Applicant by U.S. mail addressed as follows:

Timothy H. Hiebert  
Samuels & Hiebert LLC  
Two International Place, 23rd Floor  
Boston, MA 02110-4104

/Philip A. Jones/  
One of the Attorneys for Opposer  
Couch/Braunsdorf Affinity, Inc



# Exhibit 1

**Int. Cl.: 35**

**Prior U.S. Cl.: 101**

**United States Patent and Trademark Office**

**Reg. No. 1,786,961**

**Registered Aug. 10, 1993**

**SERVICE MARK  
PRINCIPAL REGISTER**

**PERKS**

PERKS UNLIMITED, INC. (NEW YORK CORPORATION)  
153 MAIN STREET  
SAYVILLE, NY 11782

FIRST USE 3-24-1988; IN COMMERCE  
3-24-1988.

FOR: PROVIDING VOLUME DISCOUNT  
BUYING SERVICES TO OTHERS, IN CLASS 35  
(U.S. CL. 101).

SER. NO. 74-116,046, FILED 11-16-1990.

G. MAYERSCHOFF, EXAMINING ATTORNEY

**Int. Cl.: 35**

**Prior U.S. Cls.: 100, 101 and 102**

**United States Patent and Trademark Office**

**Reg. No. 2,580,914**

**Registered June 18, 2002**

**SERVICE MARK  
PRINCIPAL REGISTER**

**PERKSCARD**

PERKS UNLIMITED, INC. (NEW YORK COR-  
PORATION)  
565 ROUTE 25A  
MILLER PLACE, NY 117642600

FIRST USE 5-0-1997; IN COMMERCE 5-0-1997.

OWNER OF U.S. REG. NO. 1,786,961.

FOR: BUYING SERVICES, NAMELY, PROVID-  
ING VOLUME DISCOUNTS FOR CONSUMER PRO-  
DUCTS AND SERVICES, IN CLASS 35 (U.S. CLS. 100,  
101 AND 102).

SER. NO. 76-051,909, FILED 5-17-2000.

NICHOLAS ALTREE, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,210,654

Registered Feb. 20, 2007

SERVICE MARK  
PRINCIPAL REGISTER

# Perks

COUCH BRAUNSDORF/AFFINITY, INC. (NEW  
JERSEY CORPORATION)  
701 MARTINSVILLE ROAD  
LIBERTY CORNER, NJ 07938

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

FOR: BUYING SERVICES, NAMELY, PROVID-  
ING VOLUME DISCOUNTS FOR CONSUMER PRO-  
DUCTS AND SERVICES VIA A MAGNETICALLY  
ENCODED CARD, IN CLASS 35 (U.S. CLS. 100, 101  
AND 102).

OWNER OF U.S. REG. NOS. 1,786,961, 2,580,914,  
AND 3,045,459.

SER. NO. 78-737,799, FILED 10-21-2005.

FIRST USE 3-24-1988; IN COMMERCE 3-24-1988.

ESTHER A. BORSUK, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,156,685

Registered Oct. 17, 2006

SERVICE MARK  
PRINCIPAL REGISTER

PerksCard

COUCH/BRAUNSDORF AFFINITY, INC. (NEW  
JERSEY CORPORATION)  
701 MARTINSVILLE ROAD  
LIBERTY CORNER, NJ 07938

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

FOR: BUYING SERVICES, NAMELY, PROVID-  
ING VOLUME DISCOUNTS FOR CONSUMER PRO-  
DUCTS AND SERVICES, IN CLASS 35 (U.S. CLS. 100,  
101 AND 102).

SER. NO. 78-606,012, FILED 4-11-2005.

FIRST USE 1-5-1997; IN COMMERCE 1-5-1997.

HOWARD SMIGA, EXAMINING ATTORNEY

# Exhibit 86

Petitioner's Exhibit 86  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006

UNITED STATES PATENT AND TRADEMARK OFFICE  
Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

tdc

Mailed: November 17, 2010

Opposition No. 91195921

Couch/Braunsdorf Affinity,  
Inc.

v.

Wood Royalty Management  
Company

On September 30, 2010, the Board sent a notice of default to applicant because no answer had been filed.

The record shows no response thereto.

Accordingly, judgment by default is hereby entered against applicant, the opposition is sustained, and registration to applicant is refused. See Fed. R. Civ. P. 55, and Trademark Rule 2.106(a).

*By the Trademark Trial  
and Appeal Board*

# Exhibit 87

Petitioner's Exhibit 87  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006



State of Minnesota

**SECRETARY OF STATE**

Certificate of Assignment

I, Mark Ritchie, Secretary of State of Minnesota, do certify that: The holder of the mark described below has filed an assignment of registration of this mark with the Office of the Secretary of State on this date. Registration of the mark is hereby granted to the assignee for the balance of the current registration period, under the terms and subject to the limitations of Minnesota Statutes, Section 333.18 to 333.31.

Name of Holder/Assignor: The Oak Ridge Country Club

Type of Mark: Service

Classification of Mark: 35

Mark Number: 3462767-2

Date of First use of Mark in this State: 07/01/2009

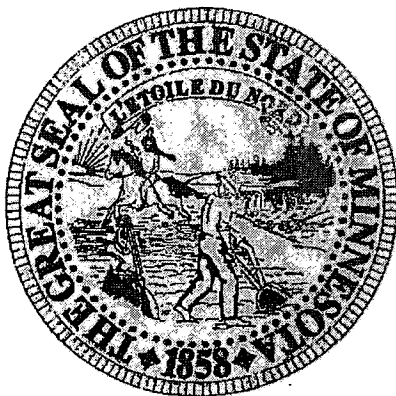
Name of Assignee: Couch Braunsdorf Affinity Inc

Current Registration Period Began: 11/23/2010

Current Registration Period Ends: 08/28/2019

Description of Mark: MemberPerks

This certification has been issued on: 11/23/2010.



*Mark Ritchie*  
Secretary of State.



TM-TMA

**Minnesota Secretary of State**  
**ASSIGNMENT OF REGISTRATION OF**  
**A TRADEMARK OR SERVICE MARK,**  
**CERTIFICATION MARK, OR COLLECTIVE MARK**  
Filing Fee: \$15.00

40695760002

File Number: 3462767-2

Class: 35

MARK AS DESCRIBED ON CERTIFICATE: MembersPerks

~~Provide members the benefit of savings, discounts w/local business~~

Name of Present Registrant:

The Oak Ridge Country Club

Address: 700 Oakridge Rd

Street

Hopkins

City

MN

State

55305

Zip

The present registrant has filed this mark and is assigning this registration and all rights to and interest in this mark, including any good will connected to the mark for valid consideration which has been received.

This mark is assigned to:

Name: Couch Braunsdorf Affinity, Inc.

Address: 706 Martinsville Road

Street

Liberty Corner NJ

City

State

07938

Zip

I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

Signature (on behalf of present registrant or authorized agent)

Wade H. Miller General Manager/COO

(Print name and title)

Name and telephone number of contact person: Wade H. Miller

(952) 935-7721

A separate assignment is required for each class.  
Make check payable to the MN Secretary of State.

**FILE IN-PERSON OR MAIL TO:**  
Minnesota Secretary of State - Business Services  
Retirement Systems of Minnesota Building  
60 Empire Drive, Suite 100  
St Paul, MN 55103  
(Staffed 8:00 - 4:00, Monday - Friday, excluding holidays)

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

NOV 23 2010

All of the information on this form is public. Minnesota law requires certain information to be provided for this type of filing. If that information is not included, your document may be returned unfilled. This document can be made available in alternative formats, such as large print, Braille or audio tape, by calling (651)296-2803/voice. For a TTY/TTD (deaf and hard of hearing) communication, contact the Minnesota Relay Service at 1-800-627-3529 and ask them to place a call to (651)296-2803. The Secretary of State's Office does not discriminate on the basis of race, creed, color, sex, sexual orientation, national origin, age, marital status, disability, religion, reliance on public assistance or political opinions or affiliations in employment or the provision of service.

Trademark/Assignment Rev. 08-01-10

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First-class mail in an envelope addressed to:

Commissioner for Trademarks  
P.O. Box 1451  
Alexandria, Virginia 22313-1451

On May 6, 2011

Date of Delivery

Joshua S. Frick

Name of Person Signing Certificate

/Joshua S. Frick/

Signature

May 6, 2011

Date of Signature

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

COUCH/BRAUNSDORF AFFINITY,  
INC.,

Petitioner,

v.

12 INTERACTIVE, LLC,

Registrant.

:  
: Cancellation No. 92051006  
:  
: Mark: PERKSPOT  
:  
: Registration No. 3,355,480  
:  
: Registered: December 18,  
: 2007

**PETITIONER'S THIRD NOTICE OF RELIANCE:  
REGISTRANT'S RESPONSES TO PETITIONER'S INTERROGATORIES**

Pursuant to Rule 2.120(j) and TBMP § 704.03, Petitioner Couch/Braunsdorf Affinity, Inc. ("Petitioner") submits this Notice of Reliance for the enclosed 12 Interactive, LLC ("Registrant") responses to Petitioner's Interrogatories. Enclosed with this Notice Reliance, as Petitioner's Exhibits No. 88, are Registrant's Answers to Applicant's First Set of Interrogatories Nos. 1, 2, 3, 4, 11, 12, and 13.

Respectfully Submitted,

**COUCH/BRAUNSDORF AFFINITY, INC.**

Dated: May 6, 2011

/Joshua S. Frick/

Philip A. Jones

Joshua S. Frick

BRINKS HOFER GILSON & LIONE

P.O. Box 10395

Chicago, Illinois 60610

(312) 321-4200

*Attorneys for Petitioner*

## **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing **NOTICE OF RELIANCE** was served via First-class mail on counsel for Registrant on the 6<sup>th</sup> day of May, 2011 addressed as follows:

Michael G. Kelber, Esq.  
[mkelber@ngelaw.com](mailto:mkelber@ngelaw.com)  
Katherine Dennis Nye, Esq  
[knye@ngelaw.com](mailto:knye@ngelaw.com)  
Neal, Gerber & Eisenberg LLP  
Two North LaSalle Street, Suite 1700  
Chicago IL 60602-3801

\_\_\_\_\_  
/Joshua S. Frick/

# Exhibit 88

Petitioner's Exhibit 88  
Couch/Braunsdorf Affinity  
Inc. v. 12 Interactive, LLC  
Cancellation No.  
92/051,006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE  
TRADEMARK TRIAL AND APPEAL BOARD**

COUCH/BRAUNSDORF AFFINITY, INC.,	:	Cancellation No.	92051006
Petitioner,	:	Mark:	PERKSPOT
v.	:	Registration No.	3,355,480
12 INTERACTIVE, LLC,	:	Registered:	December 18, 2007
Registrant.	:		

**REGISTRANT'S OBJECTIONS & RESPONSES TO PETITIONER'S FIRST SET OF  
INTERROGATORIES**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure and 37 C.F.R. § 2.120, registrant, 12 Interactive, LLC., by its attorneys, Neal, Gerber & Eisenberg LLP, hereby responds to Opposer's First Set of Interrogatories.

**GENERAL OBJECTIONS**

Each of the following general objections is incorporated into each specific response below as if fully set forth therein:

1. Registrant objects to the Interrogatories to the extent that they seek information subject to the attorney-client privilege, the work product doctrine, or any other recognized privilege or immunity.
2. Registrant objects to the Requests to the extent that they seek the production of information that is in the public domain or public record, are already in the possession, custody or control of Petitioner, or are equally available to Petitioner.
3. Registrant objects to the Interrogatories to the extent that they seek information that is not relevant to these proceedings or is not reasonably calculated to lead to the discovery of admissible or pertinent information.

4. Registrant objects to the Interrogatories to the extent that they purport to impose upon Registrant requirements that differ from or exceed those imposed by the Trademark Rules and Federal Rules of Civil Procedure.

5. Registrant objects to each Interrogatory as overly broad and unduly burdensome to the extent it seeks information without limits as to time and geography.

6. Registrant's responses shall not be construed as waiving, and Registrant expressly reserves: (a) any or all objections to confidentiality, relevancy, materiality, privilege and admissibility of evidence for any purpose; (b) the right to object to the use of any documents or information that may be provided, or the subject matter thereof, for any purpose and on any grounds; and (c) the right to object on any ground at any time to further discovery involving or relating to the subject matter of the Interrogatories.

7. Registrant's partial response to any Interrogatory is not a waiver of its Objections or right to object to any additional, supplemental, or further Interrogatory, or part thereof, but is instead offered in an effort to resolve a potential discovery dispute.

Without waiving any of the foregoing general objections, Registrant responds to the Interrogatories as follows, incorporating each and every one of the foregoing general objections into each respective response below. Registrant expressly reserves the right to amend these responses and supplement the associated production of documents in the event that any additional non-privileged, responsive information or documents are discovered

1. Describe in detail the manner in which Registrant uses or intends to use Registrant's Mark in connection with the services listed in the Subject Registration.

**Response:**



Registrant objects to this interrogatory under the General Objections and as vague and ambiguous with respect to the term "manner." Subject to, and without waiving these objections, Registrant states that it uses and intends to use its mark in connection with the administration of a program for enabling participants to obtain discounts from retailers and service providers. Specifically, Registrant states that through its proprietary technology platform, Registrant provides employees, or association members, with a single point of access for specialty benefits, personal insurance products, and discounts on consumer goods and services. Registrant further states that it uses its mark in conjunction with its website, available at [www.perkspot.com](http://www.perkspot.com). Further, as permitted by Federal Rule of Civil Procedure 33(d) and 37 C.F.R. §2.120, Registrant directs Petitioner to representative samples of use that Registrant will produce in response to Petitioner's Requests for Production of Documents and Things upon entry of a suitable protective order.

2. Separately list each product and service in connection with which Registrant has used Registrant's Mark, and separately for each product and service state the date Registrant's Mark was first used in commerce, the location of each first use, the circumstances surrounding each first use, and identify the individuals with knowledge concerning the subject of this interrogatory.

**Response:**

Registrant objects to this interrogatory under the General Objections and as overbroad and unduly burdensome. Registrant states that it uses and intends to use its mark in connection with the administration of a program for enabling participants to obtain discounts from retailers and service providers. Specifically, Registrant states that through its proprietary technology platform, Registrant provides employees, or association members, with a single point of access for specialty benefits, personal insurance products, and discounts on consumer goods and services. Registrant states that it has used its mark in commerce since August, 2006. Registrant

further states that Christopher Hill is the individual most knowledgeable concerning the subject of this interrogatory.

3. Describe in detail Registrant's business of "manag[ing] employee discount programs" as set forth in Paragraph 1 of Registrant's Counterclaim, including identifying representative examples of the "Fortune 500 companies, state and local governments, and other large employers" mentioned in that paragraph.

**Response:**

Registrant objects to this interrogatory under the General Objections. Subject to, and without waiving these objections, Registrant states that, through its proprietary technology platform, Registrant provides employees, or association members, with a single point of access for specialty benefits, personal insurance products, and discounts on consumer goods and services. Registrant further states that representative examples of its clients include DirecTV, Solo Cup, BNSE Railway, Navteq, LexisNexis CDW, Advocate Health Care, AirTran, Rush University Medical Center, TransUnion, DeVry University, and Papa John's Pizza.

4. Describe in detail the types of retailers and service providers which participate in Registrant's program as set forth in Paragraph 2 of Registrant's Counterclaim, including identifying representative examples of such retailers and service providers.

**Response:**

Registrant objects to this interrogatory under the General Objections, and as vague and ambiguous as to what is meant by "types of retailers and service providers." Subject to, and without waiving these objections, Registrant states that representative examples of merchants participating in its program include Dell, Blue Nile, Target.com, Southwest Airlines Vacations, Walt Disney, Costco Wholesale Corp., United Vacations, Ann Taylor Stores Corp., Turbo Tax, Brooks Brothers, Panasonic, and 1-800-Flowers.com.

**Redacted**

**Redacted**

# Redacted

11. Identify the manner by which Registrant's products or services offered or intended to be offered under Registrant's Mark are marketed, promoted, offered for sale and sold or intended to be marketed, promoted, offered for sale and sold.

**Response:**

Registrant objects to this interrogatory under the General Objections. Subject to and without waiving these objections, Registrant states that its services offered under Registrant's Mark are marketed through the domain name and website <www.perkspot.com> and via phone, email, and in-person solicitations.

12. Identify all inquiries received by Registrant regarding whether the services Registrant offers or intend to offer under Registrant's Mark are in any manner associated or connected with Petitioner, including by giving the name of the person making the inquiry, the date of the inquiry, and the circumstances under which the inquiry was made.

**Response:**

Registrant objects to this interrogatory under the General Objections. Subject to and without waiving these objections, Registrant states that it has received an inquiry from Lisa Francour on May 1, 2007, under the circumstances that she had received an email from Petitioner and an email from Registrant and inquired as to whether they were the same company.

13. For all products and services sold or intended to be sold under Registrant's Mark, (a) describe the trade channels through which goods and services are or will be marketed and sold under Registrant's Mark; (b) identify the types or classes of clients to whom the products and services are or will be sold; (c) describe how, or the manner in which, the prospective clients select Registrant to provide these products and services; and (d) describe the purpose and function of the products and services, and the types of facilities, environments and/or settings in which the products and services are used or will be used.

**Response:**

Registrant objects to this interrogatory under the General Objections. Subject to and without waiving these objections:

(a) Registrant states that its services are sold via its website, [www.perkspot.com](http://www.perkspot.com), email, phone, and in-person solicitations;

(b) Registrant objects to this interrogatory as duplicative of Interrogatory No. 3;

(c) Registrant objects to this interrogatory as vague and ambiguous as to what is meant by "types or classes of clients." Registrant further states, after a reasonable inquiry, that the information that it can readily obtain is insufficient to determine how any particular client selects Registrant; and

(d) Registrant objects to this interrogatory as vague and ambiguous as to what is meant by "types of facilities, environments and/or settings in which the products and services are used or will be used." Registrant further states that the purpose of its services is enabling participants to obtain discounts from retailers and service providers.

**Redacted**

**Redacted**



**Redacted**

**Redacted**

**Redacted**

**Redacted**

**Redacted**

# Redacted

By: Kate Dennis Nye  
One of the Attorneys for Registrant,  
12 Interactive, LLC

Michael G. Kelber  
Katherine Dennis Nye  
NEAL, GERBER & EISENBERG LLP  
Two North LaSalle Street  
Suite 1700  
Chicago, IL 60602-3801  
(312) 269-8000  
Dated: August 13, 2010

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing  
**REGISTRANT'S OBJECTIONS & RESPONSES TO PETITIONER'S FIRST SET OF  
INTERROGATORIES** was served on counsel for Petitioner at the following address by U.S.  
mail, postage prepaid, on August 13, 2010.

Philip A. Jones  
Brinks Hofer Gilson & Lione  
P.O. Box 10395  
Chicago, Illinois 60610

By: Kate Dennis Nye  
One of the Attorneys for Registrant,  
12 Interactive, LLC

Michael G. Kelber  
Katherine Dennis Nye  
NEAL, GERBER & EISENBERG LLP  
Two North LaSalle Street  
Suite 1700  
Chicago, IL 60602-3801  
(312) 269-8000  
Dated: August 13, 2010

**VERIFICATION**

I, Christopher Hill, declare under penalty of perjury that I am the duly authorized officer of 12 Interactive, LLC for the purpose of making this Verification, that I have read the foregoing, Registrant's Objections & Responses to Petitioner's First Set of Interrogatories and, that the statements contained therein are true and correct to the best of my knowledge, information and belief.

12 Interactive, LLC  
by Christopher Hill

Date: 